

S T A T E O F N E W Y O R K

S. 2402--A

A. 3457--A

2015-2016 Regular Sessions

S E N A T E - A S S E M B L Y

January 23, 2015

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance -- recommitted to the Committee on Insurance in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- Introduced by M. of A. COOK, GUNTHER, TITONE, WEPRIN, MARKEY, JAFFEE, HOOPER -- Multi-Sponsored by -- M. of A. SCHIMEL -- read once and referred to the Committee on Insurance -- recommitted to the Committee on Insurance in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to coverage of hysterectomies

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subsection (i) of section 3216 of the insurance law is
2 amended by adding a new paragraph 33 to read as follows:
3 (33) (A) EVERY POLICY WHICH PROVIDES HOSPITAL, SURGICAL OR MEDICAL
4 COVERAGE, OR SIMILAR COMPREHENSIVE TYPE COVERAGE, SHALL PROVIDE COVERAGE
5 FOR ALL COST FOR HYSTERECTOMIES. SUCH COVERAGE SHALL INCLUDE INPATIENT
6 HOSPITAL COVERAGE FOR A MINIMUM PERIOD OF SEVENTY-TWO HOURS AFTER
7 SURGERY.
8 (B) SUCH COVERAGE MAY BE SUBJECT TO ANNUAL DEDUCTIBLES AND COINSURANCE
9 AS MAY BE DEEMED APPROPRIATE BY THE SUPERINTENDENT AND AS ARE CONSISTENT
10 WITH THOSE ESTABLISHED FOR OTHER BENEFITS WITHIN A GIVEN POLICY.
11 (C) COVERAGE UNDER THIS PARAGRAPH SHALL NOT RESTRICT OR ELIMINATE
12 EXISTING COVERAGE PROVIDED BY THE POLICY AND NOTHING IN THIS PARAGRAPH
13 SHALL BE CONSTRUED TO DENY OR RESTRICT IN ANY WAY ANY EXISTING RIGHT OR
14 BENEFIT PROVIDED UNDER LAW OR BY CONTRACT.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 S 2. Subsection (l) of section 3221 of the insurance law is amended by
2 adding a new paragraph 19 to read as follows:

3 (19) (A) EVERY GROUP OR BLANKET POLICY DELIVERED OR ISSUED FOR DELIV-
4 ERY IN THIS STATE WHICH PROVIDES HOSPITAL, SURGICAL OR MEDICAL COVERAGE,
5 OR SIMILAR COMPREHENSIVE TYPE COVERAGE, SHALL PROVIDE COVERAGE FOR ALL
6 COST FOR HYSTERECTOMIES. SUCH COVERAGE SHALL INCLUDE INPATIENT HOSPITAL
7 COVERAGE FOR A MINIMUM PERIOD OF SEVENTY-TWO HOURS AFTER SURGERY.

8 (B) SUCH COVERAGE MAY BE SUBJECT TO ANNUAL DEDUCTIBLES AND COINSURANCE
9 AS MAY BE DEEMED APPROPRIATE BY THE SUPERINTENDENT AND AS ARE CONSISTENT
10 WITH THOSE ESTABLISHED FOR OTHER BENEFITS WITHIN A GIVEN POLICY.

11 (C) COVERAGE UNDER THIS PARAGRAPH SHALL NOT RESTRICT OR ELIMINATE
12 EXISTING COVERAGE PROVIDED BY THE POLICY AND NOTHING IN THIS PARAGRAPH
13 SHALL BE CONSTRUED TO DENY OR RESTRICT IN ANY WAY ANY EXISTING RIGHT OR
14 BENEFIT PROVIDED UNDER LAW OR BY CONTRACT.

15 S 3. Section 4303 of the insurance law is amended by adding a new
16 subsection (qq) to read as follows:

17 (QQ) 1. EVERY MEDICAL EXPENSE INDEMNITY CORPORATION, HOSPITAL SERVICE
18 CORPORATION AND HEALTH SERVICE CORPORATION WHICH PROVIDES HOSPITAL,
19 SURGICAL OR MEDICAL COVERAGE, OR SIMILAR COMPREHENSIVE TYPE COVERAGE,
20 SHALL PROVIDE COVERAGE FOR ALL COST FOR HYSTERECTOMIES. SUCH COVERAGE
21 SHALL INCLUDE INPATIENT HOSPITAL COVERAGE FOR A MINIMUM PERIOD OF SEVEN-
22 TY-TWO HOURS AFTER SURGERY.

23 2. SUCH COVERAGE MAY BE SUBJECT TO ANNUAL DEDUCTIBLES AND COINSURANCE
24 AS MAY BE DEEMED APPROPRIATE BY THE SUPERINTENDENT AND AS ARE CONSISTENT
25 WITH THOSE ESTABLISHED FOR OTHER BENEFITS WITHIN A GIVEN POLICY.

26 3. COVERAGE UNDER THIS SUBSECTION SHALL NOT RESTRICT OR ELIMINATE
27 EXISTING COVERAGE PROVIDED BY THE POLICY AND NOTHING IN THIS SUBSECTION
28 SHALL BE CONSTRUED TO DENY OR RESTRICT IN ANY WAY ANY EXISTING RIGHT OR
29 BENEFIT PROVIDED UNDER LAW OR BY CONTRACT.

30 S 4. This act shall take effect on the one hundred twentieth day after
31 it shall have become a law and shall apply to all policies entered into
32 or renewed on and after such effective date.