

1708--C

2015-2016 Regular Sessions

I N S E N A T E

January 14, 2015

Introduced by Sens. BONACIC, AVELLA, BRESLIN, GOLDEN, HANNON, LATIMER, MARTINS, PANEPINTO, RITCHIE, ROBACH, VENDITTO -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- 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

AN ACT to amend the insurance law, in relation to mandatory health insurance coverage for providing prosthetic devices

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) EVERY POLICY WHICH PROVIDES MEDICAL, MAJOR MEDICAL, OR SIMILAR
4 COMPREHENSIVE TYPE COVERAGE SHALL PROVIDE COVERAGE FOR PROSTHETIC
5 DEVICES, INCLUDING REPAIRS AND REPLACEMENTS, THAT ARE INTENDED FOR
6 MEDICALLY NECESSARY REHABILITATIVE AND HABILITATIVE PURPOSES AS REQUIRED
7 BY 42 U.S.C. S18022. AS SUCH, PROSTHETIC DEVICE COVERAGE SHALL BE
8 SUBJECT TO ANNUAL DEDUCTIBLES AND COINSURANCE AS DEEMED APPROPRIATE BY
9 THE SUPERINTENDENT IN AMOUNTS NO GREATER THAN OTHER ESSENTIAL HEALTH
10 BENEFITS COVERED BY THE POLICY. THE TERM "PROSTHETIC DEVICE" AS USED IN
11 THIS PARAGRAPH INCLUDES AN ARTIFICIAL LIMB AND ALL OF THE COMPONENTS AND
12 RELATED SERVICES THAT COMPRISE PROSTHETIC CARE BUT SHALL NOT INCLUDE
13 SHOES OR ANY OTHER ARTICLE CONSIDERED AS ORDINARY WEARING APPAREL,
14 WHETHER OR NOT SPECIALLY CONSTRUCTED.
15 S 2. Subsection (l) of section 3221 of the insurance law is amended by
16 adding a new paragraph 19 to read as follows:
17 (19) EVERY POLICY WHICH PROVIDES MEDICAL, MAJOR MEDICAL, OR SIMILAR
18 COMPREHENSIVE TYPE COVERAGE SHALL PROVIDE COVERAGE FOR PROSTHETIC

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

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1 DEVICES, INCLUDING REPAIRS AND REPLACEMENTS, THAT ARE INTENDED FOR
2 MEDICALLY NECESSARY REHABILITATIVE AND HABILITATIVE PURPOSES AS REQUIRED
3 BY 42 U.S.C. S18022. AS SUCH, PROSTHETIC DEVICE COVERAGE SHALL BE
4 SUBJECT TO ANNUAL DEDUCTIBLES AND COINSURANCE AS DEEMED APPROPRIATE BY
5 THE SUPERINTENDENT IN AMOUNTS NO GREATER THAN OTHER ESSENTIAL HEALTH
6 BENEFITS COVERED BY THE POLICY. THE TERM "PROSTHETIC DEVICE" AS USED IN
7 THIS PARAGRAPH INCLUDES AN ARTIFICIAL LIMB AND ALL OF THE COMPONENTS AND
8 RELATED SERVICES THAT COMPRISE PROSTHETIC CARE BUT SHALL NOT INCLUDE
9 SHOES OR ANY OTHER ARTICLE CONSIDERED AS ORDINARY WEARING APPAREL,
10 WHETHER OR NOT SPECIALLY CONSTRUCTED.

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

13 (QQ) EVERY POLICY WHICH PROVIDES MEDICAL, MAJOR MEDICAL, OR SIMILAR
14 COMPREHENSIVE TYPE COVERAGE SHALL PROVIDE COVERAGE FOR PROSTHETIC
15 DEVICES, INCLUDING REPAIRS AND REPLACEMENTS, THAT ARE INTENDED FOR
16 MEDICALLY NECESSARY REHABILITATIVE AND HABILITATIVE PURPOSES AS REQUIRED
17 BY 42 U.S.C. S18022. AS SUCH, PROSTHETIC DEVICE COVERAGE SHALL BE
18 SUBJECT TO ANNUAL DEDUCTIBLES AND COINSURANCE AS DEEMED APPROPRIATE BY
19 THE SUPERINTENDENT IN AMOUNTS NO GREATER THAN OTHER ESSENTIAL HEALTH
20 BENEFITS COVERED BY THE POLICY. THE TERM "PROSTHETIC DEVICE" AS USED IN
21 THIS SUBSECTION INCLUDES AN ARTIFICIAL LIMB AND ALL OF THE COMPONENTS
22 AND RELATED SERVICES THAT COMPRISE PROSTHETIC CARE BUT SHALL NOT INCLUDE
23 SHOES OR ANY OTHER ARTICLE CONSIDERED AS ORDINARY WEARING APPAREL,
24 WHETHER OR NOT SPECIALLY CONSTRUCTED.

25 S 4. This act shall take effect on the ninetieth day after it shall
26 have become a law and shall apply to policies and contracts issued,
27 renewed, modified, altered or amended on or after such effective date.