

1930

2015-2016 Regular Sessions

I N   S E N A T E

January 15, 2015

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Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law, in relation to including post traumatic stress disorder in the definition of biologically based mental illness for purposes of Timothy's Law

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

1     Section 1. Item (ii) of subparagraph (B) of paragraph 5 of subsection  
2     (1) of section 3221 of the insurance law, as amended by chapter 502 of  
3     the laws of 2007, is amended to read as follows:  
4     (ii) For purposes of this paragraph, the term "biologically based  
5     mental illness" means a mental, nervous, or emotional condition that is  
6     caused by a biological disorder of the brain and results in a clinically  
7     significant, psychological syndrome or pattern that substantially limits  
8     the functioning of the person with the illness. Such biologically based  
9     mental illnesses are defined as schizophrenia/psychotic disorders, major  
10    depression, bipolar disorder, delusional disorders, panic disorder,  
11    obsessive compulsive disorders, POST TRAUMATIC STRESS DISORDER, bulimia,  
12    and anorexia.  
13    S 2. Subparagraph (B) of paragraph 2 of subsection (g) of section 4303  
14    of the insurance law, as amended by chapter 502 of the laws of 2007, is  
15    amended to read as follows:  
16    (B) For purposes of this subsection, the term "biologically based  
17    mental illness" means a mental, nervous, or emotional condition that is  
18    caused by a biological disorder of the brain and results in a clinically  
19    significant, psychological syndrome or pattern that substantially limits  
20    the functioning of the person with the illness. Such biologically based  
21    mental illnesses are defined as schizophrenia/psychotic disorders, major  
22    depression, bipolar disorder, delusional disorders, panic disorder,  
23    obsessive compulsive disorders, POST TRAUMATIC STRESS DISORDER, anore-  
24    xia, and bulimia.

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

LBD03990-01-5

1     S 3. Subparagraph (B) of paragraph 2 of subsection (h) of section 4303  
2 of the insurance law, as amended by chapter 502 of the laws of 2007, is  
3 amended to read as follows:  
4     (B) For purposes of this subsection, the term "biologically based  
5 mental illness" means a mental, nervous, or emotional condition that is  
6 caused by a biological disorder of the brain and results in a clinically  
7 significant, psychological syndrome or pattern that substantially limits  
8 the functioning of the person with the illness. Such biologically based  
9 mental illnesses are defined as schizophrenia/psychotic disorders, major  
10 depression, bipolar disorder, delusional disorders, panic disorder,  
11 obsessive compulsive disorder, POST TRAUMATIC STRESS DISORDER, anorexia,  
12 and bulimia.  
13     S 4. This act shall take effect immediately.