

1064--A

2015-2016 Regular Sessions

I N A S S E M B L Y

January 8, 2015

Introduced by M. of A. CAHILL -- 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 public health law and the insurance law, in relation to requiring health insurers to accept third party payments for coverage

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

1 Section 1. Section 4406-c of the public health law is amended by
2 adding a new subdivision 9 to read as follows:
3 9. WITH REGARD TO A SUBSCRIBER CONTRACT OFFERED THROUGH THE INDIVIDUAL
4 MARKET, A HEALTH MAINTENANCE ORGANIZATION SHALL NOT BY CONTRACT OR IN
5 ANY OTHER MANNER REFUSE TO ACCEPT PREMIUM OR ANY REQUIRED COST SHARING
6 PAYMENTS FROM THIRD PARTIES IF MADE BY (A) AN INDIAN TRIBE, TRIBAL
7 ORGANIZATION, URBAN INDIAN ORGANIZATION, OR ANY STATE OR FEDERAL GOVERN-
8 MENT PROGRAM OR GRANTEE (SUCH AS THE RYAN WHITE HIV/AIDS PROGRAM) ON
9 BEHALF OF AN ENROLLEE, OR (B) A PRIVATE, NOT-FOR-PROFIT FOUNDATION, ON
10 BEHALF OF AN ENROLLEE WHO SATISFIES DEFINED CRITERIA THAT ARE BASED ON
11 FINANCIAL STATUS AND DO NOT CONSIDER HEALTH STATUS, AND THE PAYMENT
12 COVERS THE ENTIRE POLICY YEAR.
13 S 2. Section 3217-b of the insurance law is amended by adding a new
14 subsection (k) to read as follows:
15 (K) WITH REGARD TO AN INSURANCE POLICY OFFERED THROUGH THE INDIVIDUAL
16 MARKET, AN INSURER SHALL NOT BY CONTRACT OR IN ANY OTHER MANNER REFUSE
17 TO ACCEPT PREMIUM OR ANY REQUIRED COST SHARING PAYMENTS FROM THIRD
18 PARTIES IF MADE BY (1) AN INDIAN TRIBE, TRIBAL ORGANIZATION, URBAN INDI-
19 AN ORGANIZATION, OR ANY STATE OR FEDERAL GOVERNMENT PROGRAM OR GRANTEE
20 (SUCH AS THE RYAN WHITE HIV/AIDS PROGRAM) ON BEHALF OF AN INSURED, OR
21 (2) A PRIVATE, NOT-FOR-PROFIT FOUNDATION, ON BEHALF OF AN INSURED WHO

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

LBD06407-02-6

1 SATISFIES DEFINED CRITERIA THAT ARE BASED ON FINANCIAL STATUS AND DO NOT
2 CONSIDER HEALTH STATUS, AND THE PAYMENT COVERS THE ENTIRE POLICY YEAR.

3 S 3. Section 4325 of the insurance law is amended by adding a new
4 subsection (l) to read as follows:

5 (L) WITH REGARD TO AN INSURANCE CONTRACT OFFERED THROUGH THE INDIVID-
6 UAL MARKET, A CORPORATION ORGANIZED UNDER THIS ARTICLE SHALL NOT BY
7 CONTRACT OR IN ANY OTHER MANNER REFUSE TO ACCEPT PREMIUM OR ANY REQUIRED
8 COST SHARING PAYMENTS FROM THIRD PARTIES IF MADE BY (1) AN INDIAN TRIBE,
9 TRIBAL ORGANIZATION, URBAN INDIAN ORGANIZATION, OR ANY STATE OR FEDERAL
10 GOVERNMENT PROGRAM OR GRANTEE (SUCH AS THE RYAN WHITE HIV/AIDS PROGRAM)
11 ON BEHALF OF A SUBSCRIBER, OR (2) A PRIVATE, NOT-FOR-PROFIT FOUNDATION,
12 ON BEHALF OF A SUBSCRIBER WHO SATISFIES DEFINED CRITERIA THAT ARE BASED
13 ON FINANCIAL STATUS AND DO NOT CONSIDER HEALTH STATUS, AND PAYMENT
14 COVERS THE ENTIRE POLICY YEAR.

15 S 4. This act shall take effect January 1, 2017.