

5420

2015-2016 Regular Sessions

I N   A S S E M B L Y

February 23, 2015

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Introduced by M. of A. O'DONNELL -- read once and referred to the  
Committee on Insurance

AN ACT to amend the public health law and the insurance law, in relation  
to insurance reimbursement for early intervention services for infants  
and toddlers with disabilities

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

1     Section 1. Subdivision 3 of section 2559 of the public health law is  
2     amended by adding a new paragraph (e) to read as follows:  
3     (E) AN INSURER OR HEALTH PLAN ADMINISTRATOR SHALL ACCEPT THE EARLY  
4     INTERVENTION INDIVIDUAL FAMILY SERVICE PLAN AS DOCUMENTATION OF PRE-AU-  
5     THORIZATION AND PRIOR APPROVAL FOR SUCH SERVICES TO AN ELIGIBLE CHILD.  
6     ALL SUCH SERVICES SHALL BE CONSIDERED "COVERED SERVICES". A QUALIFIED  
7     PROVIDER OF EARLY INTERVENTION SERVICES, AS DEFINED IN THIS ARTICLE,  
8     SHALL NOT BE CONSIDERED AN OUT-OF-NETWORK PROVIDER FOR PURPOSES OF  
9     COVERAGE UNDER AN INSURANCE POLICY OR HEALTH INSURANCE PLAN.  
10    S 2. Section 3235-a of the insurance law is amended by adding a new  
11    subsection (e) to read as follows:  
12    (E) NO INSURER, INCLUDING A HEALTH MAINTENANCE ORGANIZATION ISSUED A  
13    CERTIFICATE OF AUTHORITY UNDER ARTICLE FORTY-FOUR OF THE PUBLIC HEALTH  
14    LAW AND A CORPORATION ORGANIZED UNDER ARTICLE FORTY-THREE OF THIS CHAP-  
15    TER, SHALL REFUSE TO ACCEPT THE EARLY INTERVENTION INDIVIDUAL FAMILY  
16    SERVICE PLAN AS DOCUMENTATION OF PRE-AUTHORIZATION AND PRIOR APPROVAL  
17    FOR SUCH SERVICES TO AN ELIGIBLE CHILD. ALL SUCH SERVICES SHALL BE  
18    CONSIDERED "COVERED SERVICES". A QUALIFIED PROVIDER OF EARLY INTER-  
19    VENTION SERVICES, AS DEFINED IN THIS ARTICLE, SHALL NOT BE CONSIDERED AN  
20    OUT-OF-NETWORK PROVIDER FOR PURPOSES OF COVERAGE UNDER AN INSURANCE  
21    POLICY OR HEALTH INSURANCE PLAN.  
22    S 3. This act shall take effect immediately.

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

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