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

5686--A

Cal. No. 1117

2015-2016 Regular Sessions

I N S E N A T E

May 27, 2015

Introduced by Sens. SEWARD, HANNON, KRUEGER, BONACIC, HAMILTON, LARKIN, PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the insurance law and the public health law, in relation to enrollment during pregnancy

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

Section 1. Section 3217-c of the insurance law is amended by adding a new subsection (d) to read as follows:

(D) AN INSURER, A CORPORATION ORGANIZED PURSUANT TO ARTICLE FORTY-THREE OF THIS CHAPTER, A MUNICIPAL COOPERATIVE HEALTH BENEFIT PLAN CERTIFIED PURSUANT TO ARTICLE FORTY-SEVEN OF THIS CHAPTER, A STUDENT HEALTH PLAN ESTABLISHED OR MAINTAINED PURSUANT TO SECTION ONE THOUSAND ONE HUNDRED TWENTY-FOUR OF THIS CHAPTER, OR LICENSED MAINTENANCE ORGANIZATION UNDER ARTICLE FORTY-FOUR OF THE PUBLIC HEALTH LAW, THAT ISSUES A HEALTH INSURANCE POLICY OR CONTRACT THAT PROVIDES ELIGIBILITY FOR A SPECIAL ENROLLMENT PERIOD SHALL ALLOW FOR THE ENROLLMENT OF A PREGNANT INDIVIDUAL AT ANY TIME AFTER THE COMMENCEMENT OF THE PREGNANCY, AS CERTIFIED BY A HEALTH CARE PRACTITIONER LICENSED PURSUANT TO TITLE EIGHT OF THE EDUCATION LAW ACTING WITHIN THE SCOPE OF HIS OR HER PRACTICE. UPON ENROLLMENT, COVERAGE SHALL BE DEEMED TO HAVE BEEN IN EFFECT AS OF THE DATE OF APPLICATION.

S 2. The public health law is amended by adding a new section 2507 to read as follows:

S 2507. SPECIAL ENROLLMENT; PREGNANCY. AN INSURER, A CORPORATION ORGANIZED PURSUANT TO ARTICLE FORTY-THREE OF THE INSURANCE LAW, A MUNICIPAL COOPERATIVE HEALTH BENEFIT PLAN CERTIFIED PURSUANT TO ARTICLE FORTY-SEVEN OF THE INSURANCE LAW, A STUDENT HEALTH PLAN ESTABLISHED OR

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

LBD11356-02-5

MAINTAINED PURSUANT TO SECTION ONE THOUSAND ONE HUNDRED TWENTY-FOUR OF THE INSURANCE LAW, OR LICENSED MAINTENANCE ORGANIZATION UNDER ARTICLE FORTY-FOUR OF THIS CHAPTER, THAT ISSUES A HEALTH INSURANCE POLICY OR CONTRACT THAT PROVIDES ELIGIBILITY FOR A SPECIAL ENROLLMENT PERIOD SHALL ALLOW FOR THE ENROLLMENT OF A PREGNANT INDIVIDUAL AT ANY TIME AFTER THE COMMENCEMENT OF THE PREGNANCY, AS CERTIFIED BY A HEALTH CARE PRACTITIONER LICENSED PURSUANT TO TITLE EIGHT OF THE EDUCATION LAW, ACTING WITHIN HIS OR HER SCOPE OF PRACTICE. UPON SUCH ENROLLMENT, ANY QUALIFIED HEALTH PLAN IN THE STATE HEALTH INSURANCE EXCHANGE SHALL ENSURE THAT COVERAGE IS EFFECTIVE ON THE DATE OF APPLICATION.

S 3. This act shall take effect on the first of January next succeeding the date on which it shall have become a law and shall apply to all qualified health plans issued, renewed, modified, altered or amended on or after such effective date; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.