

# STATE OF NEW YORK

528

2017-2018 Regular Sessions

## IN ASSEMBLY

January 9, 2017

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

AN ACT to amend the insurance law, in relation to insurance coverage of  
in vitro fertilization treatments

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. The opening paragraph of subparagraph (C) of paragraph 6 of  
2 subsection (k) of section 3221 of the insurance law, as amended by  
3 section 1 of part K of chapter 82 of the laws of 2002, is amended to  
4 read as follows:

5 Coverage of diagnostic and treatment procedures, including  
6 prescription drugs and in vitro fertilization, used in the diagnosis and  
7 treatment of infertility as required by subparagraphs (A) and (B) of  
8 this paragraph shall be provided in accordance with the provisions of  
9 this subparagraph.

10 § 2. Item (v) of subparagraph (C) of paragraph 6 of subsection (k) of  
11 section 3221 of the insurance law, as amended by section 1 of part K of  
12 chapter 82 of the laws of 2002, is amended to read as follows:

13 (v) Coverage shall not be required to include the diagnosis and treat-  
14 ment of infertility in connection with: (I) [~~in vitro fertilization,~~  
15 gamete intrafallopian tube transfers or zygote intrafallopian tube  
16 transfers; (II) the reversal of elective sterilizations; (III) sex  
17 change procedures; (IV) cloning; or (V) medical or surgical services or  
18 procedures that are deemed to be experimental in accordance with clin-  
19 ical guidelines referenced in clause (vi) of this subparagraph.

20 § 3. The opening paragraph of paragraph 3 of subsection (s) of section  
21 4303 of the insurance law, as amended by section 2 of part K of chapter  
22 82 of the laws of 2002, is amended to read as follows:

23 Coverage of diagnostic and treatment procedures, including  
24 prescription drugs and in vitro fertilization used in the diagnosis and

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

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1 treatment of infertility as required by paragraphs one and two of this  
2 subsection shall be provided in accordance with this paragraph.

3 § 4. Subparagraph (E) of paragraph 3 of subsection (s) of section 4303  
4 of the insurance law, as amended by section 2 of part K of chapter 82 of  
5 the laws of 2002, is amended to read as follows:

6 (E) Coverage shall not be required to include the diagnosis and treat-  
7 ment of infertility in connection with: (i) [~~in vitro fertilization,~~  
8 gamete intrafallopian tube transfers or zygote intrafallopian tube  
9 transfers; (ii) the reversal of elective sterilizations; (iii) sex  
10 change procedures; (iv) cloning; or (v) medical or surgical services or  
11 procedures that are deemed to be experimental in accordance with clin-  
12 ical guidelines referenced in subparagraph (F) of this paragraph.

13 § 5. This act shall take effect immediately.