

# STATE OF NEW YORK

8051

2017-2018 Regular Sessions

## IN ASSEMBLY

May 25, 2017

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

AN ACT to amend the public health law and the insurance law, in relation to health care coverage for neonatal intensive care services

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. A health care plan shall not require a prior authorization determi-  
4 nation for services provided in a neonatal intensive care unit of a  
5 general hospital certified pursuant to article twenty-eight of this  
6 chapter. Nothing in this subdivision shall prohibit a health care plan  
7 from denying a claim for such services if the services are subsequently  
8 determined not medically necessary.

9 § 2. Section 3217-b of the insurance law is amended by adding a new  
10 subsection (k) to read as follows:

11 (k) An insurer shall not require a prior authorization determination  
12 for services provided in a neonatal intensive care unit of a general  
13 hospital certified pursuant to article twenty-eight of the public health  
14 law. Nothing in this subsection shall prohibit an insurer from denying a  
15 claim for such services if the services are subsequently determined not  
16 medically necessary.

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

19 (l) A corporation organized under this article shall not require a  
20 prior authorization determination for services provided in a neonatal  
21 intensive care unit of a general hospital certified pursuant to article  
22 twenty-eight of the public health law. Nothing in this subsection shall  
23 prohibit a corporation organized under this article from denying a claim  
24 for such services if the services are subsequently determined not  
25 medically necessary.

26 § 4. This act shall take effect on the sixtieth day after it shall  
27 have become a law.

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

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