

# STATE OF NEW YORK

7163

## IN SENATE

(Prefiled)

January 3, 2018

Introduced by Sen. JACOBS -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law, in relation to insurance coverage for standard fertility preservation services made necessary by cancer treatment

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

1 Section 1. Paragraph 13 of subsection (i) of section 3216 of the  
2 insurance law is amended by adding a new subparagraph (C) to read as  
3 follows:

4 (C) Every policy delivered or issued for delivery in this state that  
5 provides coverage for hospital, surgical or medical care shall provide  
6 coverage for standard fertility preservation services when a necessary  
7 cancer treatment may directly or indirectly cause iatrogenic infertility  
8 to a covered person. Coverage under this subparagraph shall not be  
9 subject to any restrictions based upon the age of the covered person.  
10 For the purposes of this subparagraph, "iatrogenic infertility" means an  
11 impairment of fertility by surgery, radiation, chemotherapy or other  
12 cancer treatment affecting reproductive organs or processes.

13 § 2. Paragraph 6 of subsection (k) of section 3221 of the insurance  
14 law is amended by adding a new subparagraph (E) to read as follows:

15 (E) Every group policy delivered or issued for delivery in this state  
16 that provides hospital, surgical or medical coverage shall provide  
17 coverage for standard fertility preservation services when a necessary  
18 cancer treatment may directly or indirectly cause iatrogenic infertility  
19 to a covered person. Coverage under this subparagraph shall not be  
20 subject to any restrictions based upon the age of the covered person.  
21 For the purposes of this subparagraph, "iatrogenic infertility" means an  
22 impairment of fertility by surgery, radiation, chemotherapy or other  
23 cancer treatment affecting reproductive organs or processes.

24 § 3. Subsection (s) of section 4303 of the insurance law, as amended  
25 by section 2 of part K of chapter 82 of the laws of 2002, is amended by  
26 adding a new paragraph 5 to read as follows:

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

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1     (5) Every contract issued by a medical expense indemnity corporation,  
2 hospital service corporation or health service corporation for delivery  
3 in this state that provides hospital, surgical or medical coverage shall  
4 provide coverage for standard fertility preservation services when a  
5 necessary cancer treatment may directly or indirectly cause iatrogenic  
6 infertility to a covered person. Coverage under this paragraph shall  
7 not be subject to any restrictions based upon the age of the covered  
8 person. For the purposes of this paragraph, "iatrogenic infertility"  
9 means an impairment of fertility by surgery, radiation, chemotherapy or  
10 other cancer treatment affecting reproductive organs or processes.

11     § 4. This act shall take effect immediately and shall apply to all  
12 policies issued, renewed, altered or modified on or after such date.