

# STATE OF NEW YORK

1807

2017-2018 Regular Sessions

## IN ASSEMBLY

January 13, 2017

Introduced by M. of A. ROZIC, ABINANTI, AUBRY, BRONSON, COLTON, COOK, CRESPO, GRAF, JAFFEE, LUPINACCI, M. G. MILLER, O'DONNELL, OTIS, SEPULVEDA, SKOUFIS, WEPRIN -- Multi-Sponsored by -- M. of A. ARROYO, CROUCH, GUNTHER, KEARNS, McLAUGHLIN, PERRY, RAIA, RIVERA, SIMANOWITZ -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to requiring health insurance policies to fully cover comprehensive genetic testing for breast, ovarian, prostate, colon and lung cancers in certain cases

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

1 Section 1. This act shall be known and may be cited as the "Ana Lucia  
2 act".

3 § 2. Paragraph 11 of subsection (i) of section 3216 of the insurance  
4 law is amended by adding a new subparagraph (G) to read as follows:

5 (G) (i) Such policy shall provide additional full coverage for compre-  
6 hensive genetic testing for breast cancer only if recommended by a  
7 board-certified geneticist or a board-certified genetic counselor.

8 (ii) All costs associated with such additional full coverage shall not  
9 be subject to annual deductibles and coinsurance but shall be borne  
10 solely by the insurer.

11 § 3. Paragraph 11-a of subsection (i) of section 3216 of the insurance  
12 law is amended by adding a new subparagraph (C) to read as follows:

13 (C) (i) Such policy shall provide additional full coverage for compre-  
14 hensive genetic testing for prostatic cancer only if recommended by a  
15 board-certified geneticist or a board-certified genetic counselor.

16 (ii) All costs associated with such additional full coverage shall not  
17 be subject to annual deductibles and coinsurance but shall be borne  
18 solely by the insurer.

19 § 4. Paragraph 11 of subsection (l) of section 3221 of the insurance  
20 law is amended by adding a new subparagraph (G) to read as follows:

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

LBD00894-01-7

1 (G) (i) Such policy shall provide additional full coverage for compre-  
2 hensive genetic testing for breast cancer only if recommended by a  
3 board-certified geneticist or a board-certified genetic counselor.

4 (ii) All costs associated with such additional full coverage shall not  
5 be subject to annual deductibles and coinsurance but shall be borne  
6 solely by the insurer.

7 § 5. Paragraph 11-a of subsection (1) of section 3221 of the insurance  
8 law is amended by adding a new subparagraph (C) to read as follows:

9 (C)(i) Such policy shall provide additional full coverage for compre-  
10 hensive genetic testing for prostatic cancer only if recommended by a  
11 board-certified geneticist or a board-certified genetic counselor.

12 (ii) All costs associated with such additional full coverage shall not  
13 be subject to annual deductibles and coinsurance but shall be borne  
14 solely by the insurer.

15 § 6. Subsection (p) of section 4303 of the insurance law is amended by  
16 adding a new paragraph 6 to read as follows:

17 (6) (i) Such coverage shall provide additional full coverage for  
18 comprehensive genetic testing for breast cancer only if recommended by a  
19 board-certified geneticist or a board-certified genetic counselor.

20 (ii) All costs associated with such additional full coverage shall not  
21 be subject to annual deductibles and coinsurance but shall be borne  
22 solely by the insurer.

23 § 7. Subsection (z-1) of section 4303 of the insurance law is amended  
24 by adding a new paragraph 3 to read as follows:

25 (3)(A) Such policy shall provide additional full coverage for compre-  
26 hensive genetic testing for prostatic cancer only if recommended by a  
27 board-certified geneticist or a board-certified genetic counselor.

28 (B) All costs associated with such additional full coverage shall not  
29 be subject to annual deductibles and coinsurance but shall be borne  
30 solely by the insurer.

31 § 8. Subsection (i) of section 3216 of the insurance law is amended by  
32 adding three new paragraphs 11-b, 11-c and 11-d to read as follows:

33 (11-b) (A) Every policy that provides coverage for hospital, surgical  
34 or medical care shall provide full coverage for genetic screening for  
35 ovarian cancer only if recommended by a board-certified geneticist or a  
36 board-certified genetic counselor.

37 (B) Such additional coverage shall not be subject to annual deduct-  
38 ibles and coinsurance but shall be borne solely by the insurer.

39 (11-c) (A) Every policy that provides coverage for hospital, surgical  
40 or medical care shall provide full coverage for genetic screening for  
41 colon cancer only if recommended by a board-certified geneticist or a  
42 board-certified genetic counselor.

43 (B) All costs associated with such additional full coverage shall not  
44 be subject to annual deductibles and coinsurance but shall be borne  
45 solely by the insurer.

46 (11-d) (A) Every policy that provides coverage for hospital, surgical  
47 or medical care shall provide full coverage for genetic screening for  
48 lung cancer only if recommended by a board-certified geneticist or a  
49 board-certified genetic counselor.

50 (B) All costs associated with such additional full coverage shall not  
51 be subject to annual deductibles and coinsurance but shall be borne  
52 solely by the insurer.

53 § 9. Subsection (1) of section 3221 of the insurance law is amended by  
54 adding three new paragraphs 11-b, 11-c and 11-d to read as follows:

55 (11-b) (A) Every insurer delivering a group or blanket policy or issu-  
56 ing a group or blanket policy for delivery in this state that provides

1 coverage for hospital, surgical or medical care shall provide full  
2 coverage or genetic screening for ovarian cancer only if recommended by  
3 a board-certified geneticist or a board-certified genetic counselor.

4 (B) Such additional coverage shall not be subject to annual deduct-  
5 ibles and coinsurance but shall be borne solely by the insurer.

6 (11-c) (A) Every policy that provides coverage for hospital, surgical  
7 or medical care shall provide full coverage for genetic screening for  
8 colon cancer only if recommended by a board-certified geneticist or a  
9 board-certified genetic counselor.

10 (B) All costs associated with such additional full coverage shall not  
11 be subject to annual deductibles and coinsurance but shall be borne  
12 solely by the insurer.

13 (11-d) (A) Every policy that provides coverage for hospital, surgical  
14 or medical care shall provide full coverage for genetic screening for  
15 lung cancer only if recommended by a board-certified geneticist or a  
16 board-certified genetic counselor.

17 (B) All costs associated with such additional full coverage shall not  
18 be subject to annual deductibles and coinsurance but shall be borne  
19 solely by the insurer.

20 § 10. Section 4303 of the insurance law is amended by adding three new  
21 subsections (p-1), (p-2) and (p-3) to read as follows:

22 (p-1) (1) A medical expense indemnity corporation, a hospital service  
23 corporation or a health service corporation that provides coverage for  
24 hospital, surgical or medical care shall provide full coverage for  
25 genetic screening for ovarian cancer only if recommended by a board-cer-  
26 tified geneticist or a board-certified genetic counselor.

27 (2) Such additional coverage shall not be subject to annual deduct-  
28 ibles and coinsurance but shall be borne solely by the insurer.

29 (p-2) (1) A medical expense indemnity corporation, a hospital service  
30 corporation or a health service corporation that provides coverage for  
31 hospital, surgical or medical care shall provide full coverage for  
32 genetic screening for colon cancer only if recommended by a board-certi-  
33 fied geneticist or a board-certified genetic counselor.

34 (2) All costs associated with such additional full coverage shall not  
35 be subject to annual deductibles and coinsurance but shall be borne  
36 solely by the insurer.

37 (p-3) (1) A medical expense indemnity corporation, a hospital service  
38 corporation or a health service corporation that provides coverage for  
39 hospital, surgical or medical care shall provide full coverage for  
40 genetic screening for lung cancer only if recommended by a board-certi-  
41 fied geneticist or a board-certified genetic counselor.

42 (2) All costs associated with such additional full coverage shall not  
43 be subject to annual deductibles and coinsurance but shall be borne  
44 solely by the insurer.

45 § 11. This act shall take effect on the sixtieth day after it shall  
46 have become a law.