

STATE OF NEW YORK

2010

2017-2018 Regular Sessions

IN ASSEMBLY

January 17, 2017

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

AN ACT to amend the insurance law, in relation to requiring three days' notice before terminating coverage for the diagnosis and treatment of substance use disorders

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

1 Section 1. Paragraph 30 of subsection (i) of section 3216 of the
2 insurance law, as amended by section 1 of part B of chapter 71 of the
3 laws of 2016, is amended by adding a new subparagraph (E) to read as
4 follows:

5 (E) In the event the insurer terminates coverage for the diagnosis and
6 treatment of substance use disorder, including detoxification and reha-
7 bilitation services, for an insured person authorized pursuant to this
8 paragraph, the insurer shall provide the insured person three days'
9 notice prior to the termination. Such notice shall be direct to the
10 insured person and shall not be written.

11 § 2. Paragraph 31 of subsection (i) of section 3216 of the insurance
12 law is amended by adding a new subparagraph (E) to read as follows:

13 (E) In the event the insurer terminates coverage for the diagnosis and
14 treatment of substance use disorder, including detoxification and reha-
15 bilitation services, for an insured person authorized pursuant to this
16 paragraph, the insurer shall provide the insured person three days'
17 notice prior to the termination. Such notice shall be direct to the
18 insured person and shall not be written.

19 § 3. Paragraph 6 of subsection (l) of section 3221 of the insurance
20 law is amended by adding a new subparagraph (E) to read as follows:

21 (E) In the event the insurer terminates coverage for the diagnosis and
22 treatment of substance use disorder, including detoxification and reha-
23 bilitation services, for an insured person authorized pursuant to this
24 paragraph, the insurer shall provide the insured person three days'

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

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1 notice prior to the termination. Such notice shall be direct to the
2 insured person and shall not be written.

3 § 4. Paragraph 7 of subsection (l) of section 3221 of the insurance
4 law is amended by adding a new subparagraph (E) to read as follows:

5 (E) In the event the insurer terminates coverage for the diagnosis and
6 treatment of substance use disorder, including detoxification and reha-
7 bilitation services, for an insured person authorized pursuant to this
8 paragraph, the insurer shall provide the insured person three days'
9 notice prior to the termination. Such notice shall be direct to the
10 insured person and shall not be written.

11 § 5. Subsection (k) of section 4303 of the insurance law is amended by
12 adding a new paragraph 5 to read as follows:

13 (5) In the event the insurer terminates coverage for the diagnosis and
14 treatment of substance use disorder, including detoxification and reha-
15 bilitation services, for an insured person authorized pursuant to this
16 subsection, the insurer shall provide the insured person three days'
17 notice prior to the termination. Such notice shall be direct to the
18 insured person and shall not be written.

19 § 6. Subsection (l) of section 4303 of the insurance law is amended by
20 adding a new paragraph 5 to read as follows:

21 (5) In the event the insurer terminates coverage for the diagnosis and
22 treatment of substance use disorder, including detoxification and reha-
23 bilitation services, for an insured person authorized pursuant to this
24 subsection, the insurer shall provide the insured person three days
25 notice prior to the termination. Such notice shall be direct to the
26 insured person and shall not be written.

27 § 7. This act shall take effect on the same date and in the same
28 manner as section 4 of part B of chapter 71 of the laws of 2016, takes
29 effect.