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 Assembly, do enact as follows:

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

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

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

(v) Coverage shall not be required to include the diagnosis and treatment of infertility in connection with: (I) [~~in vitro fertilization,~~] gamete intrafallopian tube transfers or zygote intrafallopian tube transfers; (II) the reversal of elective sterilizations; (III) sex change procedures; (IV) cloning; or (V) medical or surgical services or procedures that are deemed to be experimental in accordance with clinical guidelines referenced in clause (vi) of this subparagraph.

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

Coverage of diagnostic and treatment procedures, including 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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treatment of infertility as required by paragraphs one and two of this subsection shall be provided in accordance with this paragraph.

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

(E) Coverage shall not be required to include the diagnosis and treatment of infertility in connection with: (i) [~~in vitro fertilization,~~] gamete intrafallopian tube transfers or zygote intrafallopian tube transfers; (ii) the reversal of elective sterilizations; (iii) sex change procedures; (iv) cloning; or (v) medical or surgical services or procedures that are deemed to be experimental in accordance with clinical guidelines referenced in subparagraph (F) of this paragraph.

§ 5. This act shall take effect immediately.