STATE OF NEW YORK

5677

2017-2018 Regular Sessions

IN ASSEMBLY

February 14, 2017

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

AN ACT to amend the insurance law, in relation to health insurance coverage for mammography by breast tomosynthesis

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

Section 1. Subparagraphs (A) and (C) of paragraph (11) of subsection (i) of section 3216 of the insurance law, as amended by chapter 219 of the laws of 2011, are amended to read as follows:

(A) Every policy that provides coverage for hospital, surgical or medical care shall provide the following coverage for mammography screening for occult breast cancer:

(i) upon the recommendation of a physician, a mammogram**, which may be provided by breast tomosynthesis,** at any age for covered persons having a prior history of breast cancer or who have a first degree relative with a prior history of breast cancer;

(ii) a single baseline mammogram**, which may be provided by breast tomosynthesis,** for covered persons aged thirty-five through thirty-nine, inclusive; and

(iii) an annual mammogram**, which may be provided by breast tomosynthesis,** for covered persons aged forty and older.

(C) For purposes of subparagraphs (A) and (B) of this paragraph, mammography screening means an X-ray examination of the breast using dedicated equipment, including X-ray tube, filter, compression device, screens, films and cassettes, with an average glandular radiation dose less than 0.5 rem per view per breast**; provided, however, that mammography screening shall also include breast tomosynthesis**.

§ 2. Subparagraphs (A) and (C) of paragraph (11) of subsection (l) of section 3221 of the insurance law, as amended by chapter 219 of the laws of 2011, are amended to read as follows:

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

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(A) Every insurer delivering a group or blanket policy or issuing a group or blanket policy for delivery in this state that provides coverage for hospital, surgical or medical care shall provide the following coverage for mammography screening for occult breast cancer:

(i) upon the recommendation of a physician, a mammogram**, which may be provided by breast tomosynthesis,** at any age for covered persons having a prior history of breast cancer or who have a first degree relative with a prior history of breast cancer;

(ii) a single baseline mammogram**, which may be provided by breast tomosynthesis,** for covered persons aged thirty-five through thirty-nine, inclusive; and

(iii) an annual mammogram**, which may be provided by breast tomosynthesis,** for covered persons aged forty and older.

(C) For purposes of subparagraphs (A) and (B) of this paragraph, mammography screening means an X-ray examination of the breast using dedicated equipment, including X-ray tube, filter, compression device, screens, films and cassettes, with an average glandular radiation dose less than 0.5 rem per view per breast**; provided, however, that mammography screening shall also include breast tomosynthesis**.

§ 3. Subparagraphs (A), (B) and (C) of paragraph (1) of subsection (p) of section 4303 of the insurance law, as amended by chapter 219 of the laws of 2011, are amended to read as follows:

(A) upon the recommendation of a physician, a mammogram**, which may be provided by breast tomosynthesis,** at any age for covered persons having a prior history of breast cancer or who have a first degree relative with a prior history of breast cancer;

(B) a single baseline mammogram**, which may be provided by breast tomosynthesis,** for covered persons aged thirty-five through thirty-nine, inclusive; and

(C) an annual mammogram**, which may be provided by breast tomosythesis,** for covered persons aged forty and older.

§ 4. Paragraph (2) of subsection (p) of section 4303 of the insurance law, as amended by chapter 219 of the laws of 2011, is amended to read as follows:

(2) For purposes of paragraph one of this subsection, mammography screening means an X-ray examination of the breast using dedicated equipment, including X-ray tube, filter, compression device, screens, films and cassettes, with an average glandular radiation dose less than 0.5 rem per view per breast**; provided, however, that mammography screening shall also include breast tomosythesis**.

§ 5. This act shall take effect on the sixtieth day after it shall have become a law and shall apply to all policies and contracts issued, renewed, modified, altered or amended on or after such date.