

STATE OF NEW YORK

6465--A

2017-2018 Regular Sessions

IN ASSEMBLY

March 7, 2017

Introduced by M. of A. MAGNARELLI, JONES, COOK, COLTON, SIMON, JAFFEE, BLAKE, DE LA ROSA, GJONAJ, ORTIZ, GOTTFRIED, BARRETT, HARRIS, JENNE, D'URSO -- Multi-Sponsored by -- M. of A. HIKIND, MAGEE, NOLAN -- read once and referred to the Committee on Insurance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to coverage for children for services related to the diagnosis and treatment of mental, nervous or emotional disorders or ailments

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

1 Section 1. Subsection (i) of section 3216 of the insurance law is
2 amended by adding a new paragraph 34 to read as follows:

3 (34) (A) Every policy that provides medical, major medical or similar
4 comprehensive-type coverage, shall provide coverage for children for
5 services related to the diagnosis and treatment of mental, nervous or
6 emotional disorders or ailments, including but not limited to biologi-
7 cally based mental illnesses as defined by subparagraph (B) of paragraph
8 five of subsection (1) of section three thousand two hundred twenty-one
9 of this article and children with serious emotional disturbances as
10 defined by subparagraph (C) of paragraph five of subsection (1) of
11 section three thousand two hundred twenty-one of this article, in a
12 psychiatric center under the jurisdiction of the office of mental health
13 or other psychiatric in-patient facility in the department, and a
14 psychiatric in-patient facility maintained by a political subdivision of
15 the state for the care or treatment of the mentally ill. Coverage
16 required under this paragraph must be at least equal to coverage
17 provided in such policy for the diagnosis and treatment of mental, nerv-
18 ous or emotional disorders or ailments with no additional cost sharing.

19 (B) For the purposes of this paragraph, the term "children" shall mean
20 any person under the age of eighteen years.

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

LBD10243-02-7

1 § 2. Subsection (1) of section 3221 of the insurance law is amended by
2 adding a new paragraph 5-a to read as follows:

3 (5-a) (A) Every policy that provides medical, major medical or similar
4 comprehensive-type coverage, shall provide coverage for children for
5 services related to the diagnosis and treatment of mental, nervous or
6 emotional disorders or ailments, including but not limited to biologi-
7 cally based mental illnesses as defined by subparagraph (B) of paragraph
8 five of this subsection and children with serious emotional disturbances
9 as defined by subparagraph (C) of paragraph five of this subsection, in
10 a psychiatric center under the jurisdiction of the office of mental
11 health or other psychiatric in-patient facility in the department, and a
12 psychiatric in-patient facility maintained by a political subdivision of
13 the state for the care or treatment of the mentally ill. Coverage
14 required under this paragraph must be at least equal to coverage
15 provided in such policy for the diagnosis and treatment of mental, nerv-
16 ous or emotional disorders or ailments with no additional cost sharing.

17 (B) For the purposes of this paragraph, the term "children" shall mean
18 any person under the age of eighteen years.

19 § 3. Section 4303 of the insurance law is amended by adding a new
20 subsection (g-1) to read as follows:

21 (g-1) (1) Every contract that provides medical, major medical or simi-
22 lar comprehensive-type coverage, shall provide coverage for children for
23 services related to the diagnosis and treatment of mental, nervous or
24 emotional disorders or ailments, including but not limited to biologi-
25 cally based mental illnesses as defined by subparagraph (B) of paragraph
26 two of subsection (g) of this section and children with serious
27 emotional disturbances as defined by paragraph three of subsection (g)
28 of this section, in a psychiatric center under the jurisdiction of the
29 office of mental health or other psychiatric in-patient facility in the
30 department, and a psychiatric in-patient facility maintained by a poli-
31 tical subdivision of the state for the care or treatment of the mentally
32 ill. Coverage required under this paragraph must be at least equal to
33 coverage provided in such policy for the diagnosis and treatment of
34 mental, nervous or emotional disorders or ailments with no additional
35 cost sharing.

36 (2) For the purposes of this subsection, the term "children" shall
37 mean any person under the age of eighteen years.

38 § 4. This act shall take effect immediately and shall apply to any
39 policy issued, delivered, renewed, and/or modified on or after the
40 effective date of this act.