

STATE OF NEW YORK

6731--B

2017-2018 Regular Sessions

IN ASSEMBLY

March 16, 2017

Introduced by M. of A. JEAN-PIERRE, SIMANOWITZ, COOK, KEARNS, WALKER, SEPULVEDA, COLTON, GJONAJ, JAFFEE, HYNDMAN, SKOUFIS, DICKENS, ZEBROWSKI, SIMON, D'URSO, ROZIC, ABINANTI, BLAKE, HOOPER, McDONOUGH, M. L. MILLER, PALUMBO, MURRAY, WRIGHT, JOYNER, HARRIS, BRABENEC -- Multi-Sponsored by -- M. of A. GRAF, McLAUGHLIN, THIELE -- read once and referred to the Committee on Insurance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to enacting "Shannon's Law"

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

1 Section 1. Short title. This act shall be known and may be cited as
2 "Shannon's Law".
3 § 2. Subparagraph (A) of paragraph 11 of subsection (i) of section
4 3216 of the insurance law, as amended by chapter 219 of the laws of
5 2011, is amended to read as follows:
6 (A) Every policy that provides coverage for hospital, surgical or
7 medical care shall provide the following coverage for mammography
8 screening for occult breast cancer:
9 (i) upon the recommendation of a physician, a mammogram at any age for
10 covered persons having a prior history of breast cancer or who have a
11 first degree relative with a prior history of breast cancer;
12 (ii) a single baseline mammogram for covered persons aged thirty-five
13 through thirty-nine, inclusive; [~~and~~]
14 (iii) upon the recommendation of a physician, an annual mammogram for
15 covered persons aged thirty-five through thirty-nine, inclusive; and
16 (iv) an annual mammogram for covered persons aged forty and older.

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

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1 § 3. Subparagraph (A) of paragraph 11 of subsection (1) of section
2 3221 of the insurance law, as amended by chapter 219 of the laws of
3 2011, is amended to read as follows:

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

8 (i) upon the recommendation of a physician, a mammogram at any age for
9 covered persons having a prior history of breast cancer or who have a
10 first degree relative with a prior history of breast cancer;

11 (ii) a single baseline mammogram for covered persons aged thirty-five
12 through thirty-nine, inclusive; [~~and~~]

13 (iii) upon the recommendation of a physician, an annual mammogram for
14 covered persons aged thirty-five through thirty-nine, inclusive; and

15 (iv) an annual mammogram for covered persons aged forty and older.

16 § 4. Paragraph 1 of subsection (p) of section 4303 of the insurance
17 law, as amended by chapter 219 of the laws of 2011, subparagraph (D) as
18 amended by chapter 74 of the laws of 2016, is amended to read as
19 follows:

20 (1) A medical expense indemnity corporation, a hospital service corpo-
21 ration or a health service corporation that provides coverage for hospi-
22 tal, surgical or medical care shall provide the following coverage for
23 mammography screening for occult breast cancer:

24 (A) upon the recommendation of a physician, a mammogram at any age for
25 covered persons having a prior history of breast cancer or who have a
26 first degree relative with a prior history of breast cancer;

27 (B) a single baseline mammogram for covered persons aged thirty-five
28 through thirty-nine, inclusive; [~~and~~]

29 (C) upon the recommendation of a physician, an annual mammogram for
30 covered persons aged thirty-five through thirty-nine, inclusive; and

31 (D) an annual mammogram for covered persons aged forty and older[~~+~~];
32 and

33 [~~(D)~~] (E) The coverage required in this paragraph or paragraph two of
34 this subsection shall not be subject to annual deductibles or coinsu-
35 rance.

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