

# STATE OF NEW YORK

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7737

2017-2018 Regular Sessions

## IN ASSEMBLY

May 11, 2017

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

AN ACT to amend the insurance law, in relation to conforming changes to discontinuance notices

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

1 Section 1. Item (i) of subparagraph (C) of paragraph 2 of subsection  
2 (c) of section 4304 of the insurance law, as amended by chapter 388 of  
3 the laws of 2014, is amended to read as follows:

4 (i) Discontinuance of a class of contract upon not less than [~~five~~  
5 ~~months~~] ninety days prior written notice. In exercising the option to  
6 discontinue coverage pursuant to this item, the corporation must act  
7 uniformly without regard to any health status-related factor of enrolled  
8 individuals or individuals who may become eligible for such coverage and  
9 must offer to subscribers or group remitting agents, as may be appropriate,  
10 the option to purchase all other individual health insurance coverage  
11 currently being offered by the corporation to applicants in that  
12 market. Provided, however, the superintendent may, after giving due  
13 consideration to the public interest, approve a request made by a corporation  
14 for the corporation to satisfy the requirements of this item  
15 through the offering of contracts at each level of coverage as defined  
16 in section 1302(d) of the affordable care act, 42 U.S.C. § 18022(d) that  
17 contains the benefits described in paragraph one of subsection (b) of  
18 section four thousand three hundred twenty-eight of this chapter by  
19 another corporation, insurer or health maintenance organization within  
20 the corporation's same holding company system, as defined in article  
21 fifteen of this chapter.

22 § 2. This act shall take effect immediately.

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

LBD11235-01-7