STATE OF NEW YORK

8051

2017-2018 Regular Sessions

IN ASSEMBLY

May 25, 2017

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

AN ACT to amend the public health law and the insurance law, in relation to health care coverage for neonatal intensive care services

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

Section 1. Section 4406-c of the public health law is amended by adding a new subdivision 9 to read as follows:

9. A health care plan shall not require a prior authorization determination for services provided in a neonatal intensive care unit of a general hospital certified pursuant to article twenty-eight of this chapter. Nothing in this subdivision shall prohibit a health care plan from denying a claim for such services if the services are subsequently determined not medically necessary.

§ 2. Section 3217-b of the insurance law is amended by adding a new subsection (k) to read as follows:

(k) An insurer shall not require a prior authorization determination for services provided in a neonatal intensive care unit of a general hospital certified pursuant to article twenty-eight of the public health law. Nothing in this subsection shall prohibit an insurer from denying a claim for such services if the services are subsequently determined not medically necessary.

§ 3. Section 4325 of the insurance law is amended by adding a new subsection (l) to read as follows:

(1) A corporation organized under this article shall not require a prior authorization determination for services provided in a neonatal intensive care unit of a general hospital certified pursuant to article twenty-eight of the public health law. Nothing in this subsection shall prohibit a corporation organized under this article from denying a claim for such services if the services are subsequently determined not medically necessary.

§ 4. This act shall take effect on the sixtieth day after it shall have become a law.

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

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