

# STATE OF NEW YORK

1702

2017-2018 Regular Sessions

## IN SENATE

January 10, 2017

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law, in relation to coverage for the detection of breast cancer

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

1 Section 1. Subparagraph (A) of paragraph 11 of subsection (i) of  
2 section 3216 of the insurance law, as amended by chapter 219 of the laws  
3 of 2011, is amended and a new subparagraph (G) is added to read as  
4 follows:

5 (A) Every policy that provides coverage for hospital, surgical or  
6 medical care shall provide the following coverage for mammography  
7 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-~~  
12 ~~five~~] twenty-five through [~~thirty-nine~~] twenty-nine, inclusive; and

13 (iii) an annual mammogram for covered persons aged [~~forty~~] thirty and  
14 older.

15 (G) Coverage shall also be provided, upon the recommendation of a  
16 physician, for follow-up diagnostic testing for the detection of breast  
17 cancer, including breast biopsies, in the event that a physician deter-  
18 mines that a covered person has had an abnormal mammogram. Such follow-  
19 up diagnostic testing shall not be subject to annual deductibles or  
20 coinsurance.

21 § 2. Subparagraph (A) of paragraph 11 of subsection (1) of section  
22 3221 of the insurance law, as amended by chapter 219 of the laws of  
23 2011, is amended and a new subparagraph (G) is added to read as follows:

24 (A) Every insurer delivering a group or blanket policy or issuing a  
25 group or blanket policy for delivery in this state that provides cover-

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

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1 age for hospital, surgical or medical care shall provide the following  
2 coverage for mammography screening for occult breast cancer:

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

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

8 (iii) an annual mammogram for covered persons aged [~~forty~~] thirty and  
9 older.

10 (G) Coverage shall also be provided, upon the recommendation of a  
11 physician, for follow-up diagnostic testing for the detection of breast  
12 cancer, including breast biopsies, in the event that a physician deter-  
13 mines that a covered person has had an abnormal mammogram. Such follow-  
14 up diagnostic testing shall not be subject to annual deductibles or  
15 coinsurance.

16 § 3. 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 and a new para-  
19 graph 6 is added to read as 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 twenty-five through [~~thirty-nine~~] twenty-nine, inclusive; and

29 (C) an annual mammogram for covered persons aged [~~forty~~] thirty and  
30 older.

31 (D) The coverage required in this paragraph or paragraph two of this  
32 subsection shall not be subject to annual deductibles or coinsurance.

33 (6) Coverage shall also be provided, upon the recommendation of a  
34 physician, for follow-up diagnostic testing for the detection of breast  
35 cancer, including breast biopsies, in the event that a physician deter-  
36 mines that a covered person has had an abnormal mammogram. Such follow-  
37 up diagnostic testing shall not be subject to annual deductibles or  
38 coinsurance.

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