

# STATE OF NEW YORK

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5396

2017-2018 Regular Sessions

## IN SENATE

March 24, 2017

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Introduced by Sen. ROBACH -- 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 allowing victims of domestic violence the opportunity to designate an alternate address for health insurance claims or billing purposes

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

1 Section 1. Subsections (f) and (g) of section 2612 of the insurance  
2 law, subsection (f) as amended by chapter 246 of the laws of 2005 and  
3 subsection (g) as added by chapter 361 of the laws of 2006, are amended  
4 to read as follows:

5 (f) If any person covered by an insurance policy issued to another  
6 person as the policyholder delivers to the insurer that issued the poli-  
7 cy, at its home office, (i) a valid order of protection against the  
8 policyholder, issued by a court of competent jurisdiction in this state,  
9 or (ii) a request to designate an alternative mailing address, telephone  
10 number or other contact information for the purpose of receiving specif-  
11 ic claim information or for specific billing purposes relating to such  
12 insured accompanied by a signed statement made under oath that he or she  
13 is a victim of domestic violence and the disclosure of such information  
14 would endanger him or her the insurer shall be prohibited for the dura-  
15 tion of the order, or until the request made pursuant to paragraph (ii)  
16 of this subsection, is cancelled by the requesting party in writing from  
17 disclosing to the policyholder the address ~~and~~, telephone number or  
18 other contact information of the insured, or of any person or entity  
19 providing covered services to the insured or from mailing any informa-  
20 tion described in paragraph (ii) of this subsection to any address other  
21 than the designated alternative address provided pursuant to such  
22 subsection. If a child is the covered person, the right established by  
23 this subsection may be asserted by, and shall also extend to, the parent  
24 or guardian of the child. The superintendent, in consultation with the

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

LBD06469-01-7

1 commissioner of health and the office of children and family services  
2 and the office for the prevention of domestic violence, shall promulgate  
3 rules to guide and enable insurers to guard against the disclosure of  
4 the address and location of an insured who is a victim of domestic  
5 violence.

6 (g) If any person covered by a group insurance policy delivers to the  
7 insurer that issued the policy, at its home office, (i) a valid order of  
8 protection against another person covered by the group policy, issued by  
9 a court of competent jurisdiction in this state, or (ii) a request to  
10 designate an alternative mailing address, telephone number or other  
11 contact information for the purpose of receiving specific claim informa-  
12 tion or for specific billing purposes relating to such insured accompa-  
13 nied by a signed statement made under oath that he or she is a victim of  
14 domestic violence and the disclosure of such information would endanger  
15 him or her the insurer shall be prohibited for the duration of the order  
16 or until the request made pursuant to paragraph (ii) of this subsection,  
17 is cancelled by the requesting party in writing from disclosing to the  
18 person against whom ~~the~~ a valid order of protection was issued the  
19 address ~~and~~, telephone number or other contact information of the  
20 insured person covered by the order of protection~~7~~; mailing any infor-  
21 mation described in paragraph (ii) of this subsection to any address  
22 other than the designated alternative address provided pursuant to such  
23 subsection or; disclosing the address, telephone number, or other  
24 contact information of any person or entity providing covered services  
25 to the insured person covered by the order of protection or the person  
26 making a request under this subsection. If a child is the covered  
27 person, the right established by this subsection may be asserted by, and  
28 shall also extend to, the parent or guardian of the child. The super-  
29 intendent, in consultation with the commissioner of health, the office  
30 of children and family services and the office for the prevention of  
31 domestic violence, shall promulgate rules to guide and enable insurers  
32 to guard against the disclosure of the address and location of an  
33 insured who is a victim of domestic violence.

34 § 2. This act shall take effect on the first of January next succeed-  
35 ing the date on which it shall have become a law.