STATE OF NEW YORK

5779--A

2017-2018 Regular Sessions

IN SENATE

April 28, 2017

Introduced by Sen. HANNON -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to requiring health insurers to provide, when liability for a claim is not reasonably clear, the coverage the policyholder or covered person is enrolled in

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

Section 1. Paragraph 2 of subsection (b) of section 3224-a of the insurance law, as amended by chapter 237 of the laws of 2009, is amended and a new paragraph 3 is added to read as follows:

(2) to request all additional information needed to determine liability to pay the claim or make the health care payment[~~.~~]**; and**

(3) of the specific type of plan or product the policyholder or covered person is enrolled in; provided that nothing in this section shall authorize discrimination based on the source of payment.

§ 2. Subsection (d) of section 3224-a of the insurance law is amended by adding a new paragraph 3 to read as follows:

(3) "plan or product" shall mean:

(i) medicaid coverage certified pursuant to section three hundred sixty-four-j of the social services law;

(ii) a child health insurance plan certified pursuant to section twenty-five hundred eleven of the public health law;

(iii) basic health program coverage certified pursuant to section three hundred sixty-nine-gg of the social services law, including the specific rating group the policyholder or covered person is enrolled in;

(iv) coverage purchased on the New York insurance exchange established pursuant to article sixty-two of this chapter; and

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

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(v) any other product fully insured and regulated by the state under article forty-two, forty-three, or forty-seven of this chapter, or article forty-four of the public health law.

§ 3. This act shall take effect July 1, 2018.