

# STATE OF NEW YORK

8511

## IN SENATE

May 9, 2018

Introduced by Sen. VALESKY -- 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 services related to the diagnosis and treatment of mental, nervous or emotional disorders or ailments

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

1 Section 1. Subsection (i) of section 3216 of the insurance law is  
2 amended by adding a new paragraph 35 to read as follows:

3 (35) Every policy that provides medical, major medical or similar  
4 comprehensive-type coverage, shall provide coverage for services related  
5 to the diagnosis and treatment of mental, nervous or emotional disorders  
6 or ailments, including but not limited to biologically based mental  
7 illnesses as defined by subparagraph (B) of paragraph five of subsection  
8 (1) of section three thousand two hundred twenty-one of this chapter and  
9 children with serious emotional disturbances as defined by subparagraph  
10 (C) of paragraph five of subsection (1) of section three thousand two  
11 hundred twenty-one of this chapter, in a psychiatric center under the  
12 jurisdiction of the office of mental health or other psychiatric in-pa-  
13 tient facility in the department, and a psychiatric in-patient facility  
14 maintained by a political subdivision of the state for the care or  
15 treatment of the mentally ill. Coverage required under this paragraph  
16 must be at least equal to coverage provided in such policy for the diag-  
17 nosis and treatment of mental, nervous or emotional disorders or  
18 ailments with no additional cost sharing.

19 § 2. Subsection (1) of section 3221 of the insurance law is amended by  
20 adding a new paragraph 5-a to read as follows:

21 (5-a) Every policy that provides medical, major medical or similar  
22 comprehensive-type coverage, shall provide coverage for services related  
23 to the diagnosis and treatment of mental, nervous or emotional disorders  
24 or ailments, including but not limited to biologically based mental  
25 illnesses as defined by subparagraph (B) of paragraph five of this  
26 subsection and children with serious emotional disturbances as defined  
27 by subparagraph (C) of paragraph five of this subsection, in a psychiat-

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

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1 ric center under the jurisdiction of the office of mental health or  
2 other psychiatric in-patient facility in the department, and a psychiat-  
3 ric in-patient facility maintained by a political subdivision of the  
4 state for the care or treatment of the mentally ill. Coverage required  
5 under this paragraph must be at least equal to coverage provided in such  
6 policy for the diagnosis and treatment of mental, nervous or emotional  
7 disorders or ailments with no additional cost sharing.

8 § 3. Section 4303 of the insurance law is amended by adding a new  
9 subsection (g-1) to read as follows:

10 (g-1) Every contract that provides medical, major medical or similar  
11 comprehensive-type coverage, shall provide coverage for services related  
12 to the diagnosis and treatment of mental, nervous or emotional disorders  
13 or ailments, including but not limited to biologically based mental  
14 illnesses as defined by subparagraph (B) of paragraph two of subsection  
15 (g) of this section and children with serious emotional disturbances as  
16 defined by paragraph three of subsection (g) of this section, in a  
17 psychiatric center under the jurisdiction of the office of mental health  
18 or other psychiatric in-patient facility in the department, and a  
19 psychiatric in-patient facility maintained by a political subdivision of  
20 the state for the care or treatment of the mentally ill. Coverage  
21 required under this paragraph must be at least equal to coverage  
22 provided in such policy for the diagnosis and treatment of mental, nerv-  
23 ous or emotional disorders or ailments with no additional cost sharing.

24 § 4. This act shall take effect immediately and shall apply to any  
25 policy issued, delivered, renewed, and/or modified on or after the  
26 effective date of this act.