STATE OF NEW YORK

265

2019-2020 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 9, 2019

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

AN ACT to amend the insurance law, in relation to limits on charges by providers of health services

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

Section 1. Subsections (a) and (b) of section 5108 of the insurance law are amended to read as follows:

(a) The charges for services specified in paragraph one of subsection (a) of section five thousand one hundred two of this article and any further health service charges which are incurred as a result of the injury and which are in excess of basic economic loss, shall not exceed the charges permissible under the [~~schedules~~] schedule prepared and established by the [~~chairman of the workers' compensation board for industrial accidents~~] superintendent pursuant to subsection (b) of this section, except where the insurer or arbitrator determines that unusual procedures or unique circumstances justify the excess charge.

(b) The superintendent[~~, after consulting with the chairman of the workers' compensation board and the commissioner of health,~~] shall promulgate rules and regulations [~~implementing and coordinating the provisions of this article and the workers' compensation law~~] with respect to charges for the professional health services specified in paragraph one of subsection (a) of section five thousand one hundred two of this article, including the establishment of schedules for all such services [~~for which schedules have not been prepared and established by the chairman of the workers' compensation board~~]. In establishing such schedules the superintendent shall ensure that provider reimbursement rates accurately reflect the treatment needs of no-fault claimants including the establishment of rates sufficient to reimburse specialty providers who treat no-fault claimants.

§ 2. This act shall take effect immediately.

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

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