STATE OF NEW YORK

6559

2019-2020 Regular Sessions

IN ASSEMBLY

March 11, 2019

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

AN ACT to amend the insurance law, in relation to eligibility for life
   insurance based upon pre-existing medical conditions

   **The People of the State of New York, represented in Senate and Assem-
   bly, do enact as follows:**

1   Section 1. The insurance law is amended by adding a new section 3242
2 to read as follows:
3   **§ 3242. Eligibility for life insurance based upon pre-existing medical
4 conditions. (a) Notwithstanding any provision of law to the contrary,
5 for any policy providing coverage up to five hundred thousand dollars,
6 no insurer or entity authorized to do the kinds of business specified in
7 paragraph one of subsection (a) of section one thousand one hundred
8 thirteen of this chapter shall include any pre-existing medical condi-
9 tions in determining premium rates for the insureds.**
10   **(b) No policy authorized by paragraph one of subsection (a) of section
11 one thousand one hundred thirteen of this chapter, providing coverage up
12 to five hundred thousand dollars, shall be denied or canceled by the
13 insurer, or the terms and conditions of such policy altered by the
14 insurer, solely on the basis of an individual having one or more pre-ex-
15 isting medical conditions.**
16   **(c) Nothing in this section shall prohibit a policy from being denied
17 or canceled by the insurer, or the terms and conditions of such policy
18 altered by the insurer, or the premium rates adjusted by the insurer, if
19 the individual has received a terminal diagnosis from a health care
20 provider or participates in high risk activities including, but not
21 limited to, smoking, vaping, tobacco use, bungee jumping, scuba diving,
22 parachuting, car racing, bike racing, boat racing, hang gliding, skiing,
23 snowboarding, surfing, whitewater rafting, hot air ballooning, rock
24 climbing, mountain climbing, or flying a private plane.**
25   § 2. This act shall take effect immediately.