STATE OF NEW YORK

5145

2019-2020 Regular Sessions

IN SENATE

April 11, 2019

Introduced by Sen. RIVERA -- 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 the designation of an independent consumer assistance program

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

Section 1. The insurance law is amended by adding a new section 211 to read as follows:

§ 211. Independent consumer assistance program. The superintendent, in consultation with the commissioner of health, shall designate an independent consumer assistance program that will have the following duties:

(a) The independent consumer assistance program shall:

(1) assist consumers with the filing of complaints and appeals, including filing appeals with the internal appeal or grievance process of the group health plans or health insurance issuers involved and providing information about and assisting consumers with the external appeals and administrative hearing process;

(2) collect, track, and quantify problems and inquiries encountered by consumers;

(3) educate consumers on their rights and responsibilities with respect to group health plans and health insurance coverage;

(4) assist consumers with enrollment in a group health plan or health insurance coverage by providing information, referral, and assistance;

(5) resolve problems with obtaining premium tax credits under section 36B of the Internal Revenue Code of 1986;

(6) assist consumers with disputes eligible for resolution under article six of the financial services law;

(7) assist uninsured, insured, or underinsured consumers in accessing appropriate health care services, hospital financial assistance or the resolution of their health care bills; and

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

LBD11109-01-9

(8) provide assistance to health consumers on any additional matters related to accessing health insurance coverage and health care services.

(b) All New York state regulated health plans shall be required to list the name, phone number, address and email of the state independent consumer assistance programs on notices to consumers of adverse determinations and explanation of benefits and in the subscriber agreement, member handbook and any additional consumer facing materials as determined by the superintendent and the commissioner of health.

§ 2. This act shall take effect immediately.