

STATE OF NEW YORK

67

2019-2020 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2019

Introduced by Sen. ROBACH -- 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 allowing victims of domestic violence the opportunity to designate an alternate address for health insurance claims or billing purposes

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

1 Section 1. Subsections (f) and (g) of section 2612 of the insurance
2 law, subsection (f) as amended by chapter 246 of the laws of 2005 and
3 subsection (g) as added by chapter 361 of the laws of 2006, are amended
4 to read as follows:

5 (f) If any person covered by an insurance policy issued to another
6 person as the policyholder delivers to the insurer that issued the poli-
7 cy, at its home office, (i) a valid order of protection against the
8 policyholder, issued by a court of competent jurisdiction in this state,
9 or (ii) a request to designate an alternative mailing address, telephone
10 number or other contact information for the purpose of receiving specif-
11 ic claim information or for specific billing purposes relating to such
12 insured accompanied by a signed statement made under oath that he or she
13 is a victim of domestic violence and the disclosure of such information
14 would endanger him or her the insurer shall be prohibited for the dura-
15 tion of the order, or until the request made pursuant to this paragraph,
16 is cancelled by the requesting party in writing from disclosing to the
17 policyholder the address [~~and~~], telephone number or other contact infor-
18 mation of the insured, or of any person or entity providing covered
19 services to the insured or from mailing any information described in
20 this paragraph to any address other than the designated alternative
21 address provided pursuant to such paragraph. If a child is the covered
22 person, the right established by this subsection may be asserted by, and
23 shall also extend to, the parent or guardian of the child. The super-

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

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1 intendent, in consultation with the commissioner of health and the
2 office of children and family services and the office for the prevention
3 of domestic violence, shall promulgate rules to guide and enable insur-
4 ers to guard against the disclosure of the address and location of an
5 insured who is a victim of domestic violence.

6 (g) If any person covered by a group insurance policy delivers to the
7 insurer that issued the policy, at its home office, (i) a valid order of
8 protection against another person covered by the group policy, issued by
9 a court of competent jurisdiction in this state, or (ii) a request to
10 designate an alternative mailing address, telephone number or other
11 contact information for the purpose of receiving specific claim informa-
12 tion or for specific billing purposes relating to such insured accompa-
13 nyed by a signed statement made under oath that he or she is a victim of
14 domestic violence and the disclosure of such information would endanger
15 him or her the insurer shall be prohibited for the duration of the order
16 or until the request made pursuant to this paragraph, is cancelled by
17 the requesting party in writing from disclosing to the person against
18 whom [~~the~~] a valid order of protection was issued the address [~~and~~],
19 telephone number or other contact information of the insured person
20 covered by the order of protection[7]; mailing any information described
21 in this paragraph to any address other than the designated alternative
22 address provided pursuant to such paragraph; or disclosing the address,
23 telephone number, or other contact information of any person or entity
24 providing covered services to the insured person covered by the order of
25 protection or the person making a request under this subsection. If a
26 child is the covered person, the right established by this subsection
27 may be asserted by, and shall also extend to, the parent or guardian of
28 the child. The superintendent, in consultation with the commissioner of
29 health, the office of children and family services and the office for
30 the prevention of domestic violence, shall promulgate rules to guide and
31 enable insurers to guard against the disclosure of the address and
32 location of an insured who is a victim of domestic violence.

33 § 2. This act shall take effect on the first of January next succeed-
34 ing the date on which it shall have become a law.