STATE OF NEW YORK

3852

2019-2020 Regular Sessions

IN SENATE

February 20, 2019

Introduced by Sens. MARTINEZ, BOYLE -- 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 enacting "Shannon's Law"

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

Section 1. Short title. This act shall be known and may be cited as "Shannon's Law".

§ 2. Subparagraph (A) of paragraph 11 of subsection (i) of section 3216 of the insurance law, as amended by chapter 414 of the laws of 2017, is amended to read as follows:

(A) Every policy that provides coverage for hospital, surgical or medical care shall provide the following coverage for mammography screening for occult breast cancer:

(i) upon the recommendation of a physician, a mammogram, which may be provided by breast tomosynthesis, at any age for covered persons having a prior history of breast cancer or who have a first degree relative with a prior history of breast cancer;

(ii) a single baseline mammogram, which may be provided by breast tomosynthesis, for covered persons aged thirty-five through thirty-nine, inclusive; [~~and~~]

(iii) **upon the recommendation of a physician, an annual mammogram for covered persons aged thirty-five through thirty-nine, inclusive; and**

(iv) an annual mammogram, which may be provided by breast tomosynthesis, for covered persons aged forty and older.

§ 3. Subparagraph (A) of paragraph 11 of subsection (l) of section 3221 of the insurance law, as amended by chapter 414 of the laws of 2017, is amended to read as follows:

(A) Every insurer delivering a group or blanket policy or issuing a group or blanket policy for delivery in this state that provides cover-

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

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age for hospital, surgical or medical care shall provide the following coverage for mammography screening for occult breast cancer:

(i) upon the recommendation of a physician, a mammogram, which may be provided by breast tomosynthesis, at any age for covered persons having a prior history of breast cancer or who have a first degree relative with a prior history of breast cancer;

(ii) a single baseline mammogram, which may be provided by breast tomosynthesis, for covered persons aged thirty-five through thirty-nine, inclusive; [~~and~~]

(iii) **upon the recommendation of a physician, an annual mammogram for covered persons aged thirty-five through thirty-nine, inclusive; and**

(iv) an annual mammogram, which may be provided by breast tomosynthesis, for covered persons aged forty and older.

§ 4. Subparagraphs (B), (C) and (D) of paragraph 1 of subsection (p) of section 4303 of the insurance law, subparagraphs (B) and (C) as amended by chapter 414 of the laws of 2017, subparagraph (D) as amended by chapter 74 of the laws of 2016, are amended to read as follows:

(B) a single baseline mammogram, which may be provided by breast tomosynthesis, for covered persons aged thirty-five through thirty-nine, inclusive; [~~and~~]

(C) **upon the recommendation of a physician, an annual mammogram for covered persons aged thirty-five through thirty-nine, inclusive; and**

(D) an annual mammogram, which may be provided by breast tomosythesis, for covered persons aged forty and older[~~.~~]**; and**

[~~(D)~~] **(E)** The coverage required in this paragraph or paragraph two of this subsection shall not be subject to annual deductibles or coinsurance.

§ 5. This act shall take effect on the thirtieth day after it shall have become a law, and shall apply to policies and contracts issued, renewed, modified, altered or amended on or after such effective date.