

# STATE OF NEW YORK

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4571

2019-2020 Regular Sessions

## IN SENATE

March 15, 2019

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Introduced by Sen. GAUGHRAN -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT directing the department of financial services, in consultation with the commissioner of the department of health, to study and report upon the adequacy of insurance coverage for the treatment of Lyme disease and other tick-borne related diseases

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

1 Section 1. The legislature hereby finds that the increasing number of  
2 Lyme disease and tick-borne related diseases in New York state high-  
3 lights the need to examine the current status of the adequacy of insur-  
4 ance coverage related to this health epidemic. Lyme disease is one of  
5 several tick-borne diseases which result in extreme and long term  
6 fatigue, nausea, depression, joint pain and many other severe symptoms.  
7 Lyme disease is the most common vector-borne illness in the United  
8 States, and New York is one of 14 states that account for 95% of cases  
9 in the United States. According to the New York state department of  
10 health, over 20,000 cases of Lyme disease were diagnosed between years  
11 2012 to 2014. While sufferers of these tick-borne diseases require long  
12 term treatment, health insurance companies have denied services related  
13 to necessary medical treatment.

14 § 2. The superintendent of the department of financial services, in  
15 consultation with the commissioner of the department of health, shall  
16 review the adequacy of insurance coverage for the treatment of Lyme  
17 disease and other tick-borne related diseases and make recommendations  
18 regarding any coverage limitations that may be found. Such review shall  
19 include but not be limited to:

20 (a) the present state of insurance coverage for the treatment of Lyme  
21 disease and other tick-borne related diseases within New York state;

22 (b) prevailing reasons for the denial of insurance coverage for the  
23 treatment of Lyme disease and other tick-borne related diseases;

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

LBD00470-01-9

1 (c) the number of insureds in need of long term care of Lyme disease  
2 and other tick-borne related diseases;

3 (d) the number of uninsured persons in need of long term care of Lyme  
4 disease and other tick-borne related diseases;

5 (e) coverage required by other states for treatment for long term and  
6 chronic Lyme disease in other states;

7 (f) specific medical conditions related to Lyme disease and other  
8 tick-borne related diseases; and

9 (g) recommendations to ensure that there is adequate coverage for Lyme  
10 disease, including long term care of Lyme disease, and other tick-borne  
11 related diseases within New York state.

12 § 3. Within one hundred twenty days of the effective date of this act,  
13 the superintendent of financial services shall submit a report to the  
14 governor, temporary president of the senate and speaker of the assembly  
15 of the department's findings, conclusions, and recommendations.

16 § 4. This act shall take effect immediately.