STATE OF NEW YORK

1240

2021-2022 Regular Sessions

IN ASSEMBLY

January 7, 2021

Introduced by M. of A. CAHILL, FAHY, STECK, WOERNER, GRIFFIN, REYES -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to authorizing health insurance reimbursement for certified registered nurse anesthetists providing anesthesia services

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

Section 1. Paragraphs 27 and 28 of subsection (i) of section 3216 of the insurance law, paragraph 27 as added by chapter 536 of the laws of 2010 and paragraph 28 as added by chapter 589 of the laws of 2011, are renumbered paragraphs 36 and 37 respectively and a new paragraph 38 is added to read as follows:

(38) At the discretion of the insurer, anesthesia services provided by a certified registered nurse anesthetist may be eligible for reimbursement under any policy which provides for coverage for anesthesia services. Provided however, that nothing contained herein shall be construed to require an insurer to reimburse both a physician and a certified registered nurse anesthetist for providing the same anesthesiology services. The term "certified registered nurse anesthetist" as used in this paragraph shall mean a person who has satisfactorily completed educational preparation for provision of these services in a program registered by the department of education or in a program accredited by a national body recognized by the department of education or determined by the department of education to be the equivalent; and submit evidence of current certification or recertification by a national certifying body, recognized by the department of education.

§ 2. Subsection (1) of section 3221 of the insurance law is amended by adding a new paragraph 21 to read as follows:

(21) At the discretion of the insurer, anesthesia services provided by a certified registered nurse anesthetist may be eligible for reimbursement under any policy which provides for coverage for anesthesia

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

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services. Provided however, that nothing contained herein shall be construed to require an insurer to reimburse both a physician and a certified registered nurse anesthetist for providing the same anesthesiology services. The term "certified registered nurse anesthetist" as used in this paragraph shall mean a person who has satisfactorily completed educational preparation for provision of these services in a program registered by the department of education or in a program accredited by a national body recognized by the department of education or determined by the department of education to be the equivalent; and submit evidence of current certification or recertification by a national certifying body, recognized by the department of education.

§ 3. Section 4303 of the insurance law is amended by adding a new subsection (ss) to read as follows:

(ss) At the discretion of the insurer, anesthesia services provided by a certified registered nurse anesthetist may be eligible for reimbursement under any policy which provides for coverage for anesthesia services. Provided however, that nothing contained herein shall be construed to require an insurer to reimburse both a physician and a certified registered nurse anesthetist for providing the same anesthesiology services. The term "certified registered nurse anesthetist" as used in this subsection shall mean a person who has satisfactorily completed educational preparation for provision of these services in a program registered by the department of education or in a program accredited by a national body recognized by the department of education or determined by the department of education to be the equivalent; and submit evidence of current certification or recertification by a national certifying body, recognized by the department of education.

§ 4. This act shall take effect January 1, 2023 and shall apply to policies and contracts issued, renewed, modified, altered or amended on or after such effective date.