STATE OF NEW YORK

2085--A

2021-2022 Regular Sessions

IN ASSEMBLY

January 14, 2021

Introduced by M. of A. DINOWITZ, GALEF, CUSICK, CYMBROWITZ, ZEBROWSKI, ENGLEBRIGHT, ROZIC -- Multi-Sponsored by -- M. of A. BARNWELL, CAHILL, COLTON, COOK, GLICK, GOTTFRIED -- read once and referred to the Committee on Insurance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to providing insurance coverage for colorectal cancer early detection

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

Section 1. Paragraph 27 of subsection (i) of section 3216 of the insurance law, as added by chapter 457 of the laws of 2010, is renumbered paragraph 36, paragraph 28 of subsection (i) of section 3216 of the insurance law, as amended by chapter 11 of the laws of 2012, is renumbered paragraph 37, paragraph 34 of subsection (i) of section 3216 of the insurance law, as added by section 10 of part MM of chapter 57 of the laws of 2018, is renumbered paragraph 38 and a new paragraph 11-b is added to read as follows:

(11-b) (A) Every policy delivered or issued for delivery in this state which provides medical coverage that includes coverage for physician services in a physician's office and every policy which provides major medical or similar comprehensive-type coverage shall provide, upon the prescription of a health care provider legally authorized to prescribe under title eight of the education law, coverage for colorectal cancer screening. The coverage required by this paragraph shall include preventive colorectal cancer screening coverage for all colorectal cancer examinations and laboratory tests in accordance with American Cancer Society Guidelines for colorectal cancer screening of average risk individuals, including an initial colonoscopy or other medical test or procedure for colorectal cancer screening and a follow-up colonoscopy performed as a result of a positive result on a non-colonoscopy preventive screening test.

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

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(B) An individual shall not be subject to a deductible, coinsurance, or any other cost-sharing requirements for services consistent with subparagraph (A) of this paragraph received from participating providers.

§ 2. Subsection (l) of section 3221 of the insurance law is amended by adding a new paragraph 11-b to read as follows:

(11-b) (A) Every policy delivered or issued for delivery in this state which provides medical coverage that includes coverage for physician services in a physician's office and every policy which provides major medical or similar comprehensive-type coverage shall provide, upon the prescription of a health care provider legally authorized to prescribe under title eight of the education law, coverage for colorectal cancer screening. The coverage required by this paragraph shall include preventive colorectal cancer screening coverage for all colorectal cancer examinations and laboratory tests in accordance with American Cancer Society Guidelines for colorectal cancer screening of average risk individuals, including an initial colonoscopy or other medical test or procedure for colorectal cancer screening and a follow-up colonoscopy performed as a result of a positive result on a non-colonoscopy preventive screening test.

(B) An individual shall not be subject to a deductible, coinsurance, or any other cost-sharing requirements for services consistent with subparagraph (A) of this paragraph received from participating providers.

§ 3. The superintendent of financial services shall require an insurer, health carrier or health benefit plan to notify enrollees annually of colorectal cancer screenings covered by such enrollees' health benefit plan and the most recently published guidelines of the American College of Gastroenterology or the American Gastroenterological Association in consultation with the American Cancer Society for colorectal cancer screenings or notify enrollees at intervals consistent with the most recently published guidelines of the American College of Gastroenterology or the American Gastroenterological Association in consultation with the American Cancer Society of colorectal cancer screenings which are covered by such enrollees' health benefit plans. The notice shall be delivered by mail unless the enrollee and health carrier have agreed on another method of notification. The superintendent of financial services is authorized to promulgate necessary rules and regulations for the purposes of providing such notification.

§ 4. This act shall take effect immediately and shall apply to any policy issued, delivered, renewed, and/or modified on or after the effective date of this act.