# STATE OF NEW YORK

3791

2021-2022 Regular Sessions

# IN ASSEMBLY

January 28, 2021

Introduced by M. of A. CYMBROWITZ, NOLAN, GUNTHER, SIMON, BARRON, JACOBSON, MAGNARELLI, GOTTFRIED, SEAWRIGHT, RICHARDSON, ABBATE, ENGLEBRIGHT, GALEF -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to requiring health insurance providers to cover the costs of colorectal cancer screenings

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

Section 1. Subsection (i) of section 3216 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 for persons forty-five years of age or older. Such coverage shall include an annual screening using the stool-based fecal immunochemical test or the guaiac-based fecal occult blood test. If the results of such test are positive for signs of cancer, coverage shall also be provided for a follow-up visual examination.**

**(B) Such coverage may be subject to annual deductibles and coinsurance as may be deemed appropriate by the superintendent and as are consistent with those established for other benefits within a given policy.**

§ 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**

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

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screening for persons forty-five years of age or older. Such coverage shall include an annual screening using the stool-based fecal immunochemical test or the guaiac-based fecal occult blood test. If the results of such test are positive for signs of cancer, coverage shall also be provided for a follow-up visual examination.

(B) Such coverage may be subject to annual deductibles and coinsurance as may be deemed appropriate by the superintendent and as are consistent with those established for other benefits within a given policy.

§ 3. Section 4303 of the insurance law is amended by adding a new subsection (z-2) to read as follows:

(z-2) (1) 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 for persons forty-five years of age or older. Such coverage shall include an annual screening using the stool-based fecal immunochemical test or the guaiac-based fecal occult blood test. If the results of such test are positive for signs of cancer, coverage shall also be provided for a follow-up visual examination.

(2) Such coverage may be subject to annual deductibles and coinsurance as may be deemed appropriate by the superintendent and as are consistent with those established for other benefits within a given policy.

§ 4. This act shall take effect on the ninetieth day after it shall have become a law and shall apply to all policies issued, renewed, modified or altered on or after such date.