

STATE OF NEW YORK

5272

2021-2022 Regular Sessions

IN ASSEMBLY

February 12, 2021

Introduced by M. of A. SOLAGES, THIELE -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to requiring health insurance policies to include coverage for doula services as required coverage for maternity care

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

1 Section 1. Item (i) of subparagraph (A) of paragraph 10 of subsection
2 (i) of section 3216 of the insurance law, as amended by chapter 238 of
3 the laws of 2010, is amended to read as follows:

4 (i) Every policy which provides hospital, surgical or medical coverage
5 shall provide coverage for maternity care, including hospital, surgical
6 or medical care to the same extent that hospital, surgical or medical
7 coverage is provided for illness or disease under the policy. Such
8 maternity care coverage, other than coverage for perinatal compli-
9 cations, shall include inpatient hospital coverage for mother and for
10 newborn for at least forty-eight hours after childbirth for any delivery
11 other than a caesarean section, and for at least ninety-six hours after
12 a caesarean section. Such coverage for maternity care shall include the
13 services of a doula and the services of a midwife licensed pursuant to
14 article one hundred forty of the education law, practicing consistent
15 with section sixty-nine hundred fifty-one of the education law and
16 affiliated or practicing in conjunction with a facility licensed pursu-
17 ant to article twenty-eight of the public health law, but no insurer
18 shall be required to pay for duplicative routine services actually
19 provided by both a licensed midwife and a physician.

20 § 2. Item (i) of subparagraph (A) of paragraph 5 of subsection (k) of
21 section 3221 of the insurance law, as amended by chapter 238 of the laws
22 of 2010, is amended to read as follows:

23 (i) Every group or blanket policy delivered or issued for delivery in
24 this state which provides hospital, surgical or medical coverage shall

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

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1 include coverage for maternity care, including hospital, surgical or
2 medical care to the same extent that coverage is provided for illness or
3 disease under the policy. Such maternity care coverage, other than
4 coverage for perinatal complications, shall include inpatient hospital
5 coverage for mother and newborn for at least forty-eight hours after
6 childbirth for any delivery other than a caesarean section, and for at
7 least ninety-six hours after a caesarean section. Such coverage for
8 maternity care shall include the services of a doula and the services of
9 a midwife licensed pursuant to article one hundred forty of the educa-
10 tion law, practicing consistent with section sixty-nine hundred fifty-
11 one of the education law and affiliated or practicing in conjunction
12 with a facility licensed pursuant to article twenty-eight of the public
13 health law, but no insurer shall be required to pay for duplicative
14 routine services actually provided by both a licensed midwife and a
15 physician.

16 § 3. Subparagraph (A) of paragraph 1 of subsection (c) of section 4303
17 of the insurance law, as amended by chapter 238 of the laws of 2010, is
18 amended to read as follows:

19 (A) Every contract issued by a corporation subject to the provisions
20 of this article which provides hospital service, medical expense indem-
21 nity or both shall provide coverage for maternity care including hospi-
22 tal, surgical or medical care to the same extent that hospital service,
23 medical expense indemnity or both are provided for illness or disease
24 under the contract. Such maternity care coverage, other than coverage
25 for perinatal complications, shall include inpatient hospital coverage
26 for mother and for newborn for at least forty-eight hours after child-
27 birth for any delivery other than a caesarean section, and for at least
28 ninety-six hours following a caesarean section. Such coverage for mater-
29 nity care shall include the services of a doula and the services of a
30 midwife licensed pursuant to article one hundred forty of the education
31 law, practicing consistent with section sixty-nine hundred fifty-one of
32 the education law and affiliated or practicing in conjunction with a
33 facility licensed pursuant to article twenty-eight of the public health
34 law, but no insurer shall be required to pay for duplicative routine
35 services actually provided by both a licensed midwife and a physician.

36 § 4. This act shall take effect on the one hundred eightieth day after
37 it shall have become a law and shall apply to all policies and contracts
38 issued, renewed, modified, altered or amended on or after such date.
39 Effective immediately the addition, amendment or repeal of any rule or
40 regulation necessary for the implementation of this act on its effective
41 date are authorized to be made and completed on or before such date.