STATE OF NEW YORK

5496

2021-2022 Regular Sessions

IN ASSEMBLY

February 19, 2021

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

AN ACT to amend the insurance law, in relation to insurance coverage for standard fertility preservation services made necessary by cancer treatment

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

Section 1. Paragraph 13 of subsection (i) of section 3216 of the insurance law is amended by adding a new subparagraph (D) to read as follows:

(D) Every policy delivered or issued for delivery in this state that provides coverage for hospital, surgical or medical care shall provide coverage for standard fertility preservation services when a necessary cancer treatment may directly or indirectly cause iatrogenic infertility to a covered person. Coverage under this subparagraph shall not be subject to any restrictions based upon the age of the covered person. For the purposes of this subparagraph, "iatrogenic infertility" means an impairment of fertility by surgery, radiation, chemotherapy or other cancer treatment affecting reproductive organs or processes.

§ 2. Paragraph 6 of subsection (k) of section 3221 of the insurance law is amended by adding a new subparagraph (E) to read as follows:

(E) Every group policy delivered or issued for delivery in this state that provides hospital, surgical or medical coverage shall provide coverage for standard fertility preservation services when a necessary cancer treatment may directly or indirectly cause iatrogenic infertility to a covered person. Coverage under this subparagraph shall not be subject to any restrictions based upon the age of the covered person. For the purposes of this subparagraph, "iatrogenic infertility" means an impairment of fertility by surgery, radiation, chemotherapy or other cancer treatment affecting reproductive organs or processes.

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

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§ 3. Subsection (s) of section 4303 of the insurance law, as amended by section 2 of part K of chapter 82 of the laws of 2002, is amended by adding a new paragraph 5 to read as follows:

(5) Every contract issued by a medical expense indemnity corporation, hospital service corporation or health service corporation for delivery in this state that provides hospital, surgical or medical coverage shall provide coverage for standard fertility preservation services when a necessary cancer treatment may directly or indirectly cause iatrogenic infertility to a covered person. Coverage under this paragraph shall not be subject to any restrictions based upon the age of the covered person. For the purposes of this paragraph, "iatrogenic infertility" means an impairment of fertility by surgery, radiation, chemotherapy or other cancer treatment affecting reproductive organs or processes.

§ 4. This act shall take effect immediately and shall apply to all policies issued, renewed, altered or modified on or after such date.