

# STATE OF NEW YORK

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7315

2021-2022 Regular Sessions

## IN ASSEMBLY

May 5, 2021

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

AN ACT to direct the department of financial services to review covered benefits related to childbirth offered by health insurance policies and medical assistance; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. The superintendent of financial services, in consultation  
2 with the commissioner of health, shall review covered benefits related  
3 to childbirth offered by all health insurance policies and medical  
4 assistance in New York state, the extent to which such policies meet or  
5 exceed the federal Affordable Care Act requirements, and make recommen-  
6 dations regarding the adoption of statewide standards. Such review shall  
7 include, but not be limited to:

8 a. The current range in length of stay coverage periods for surgical  
9 and vaginal deliveries across health insurance plans offered within New  
10 York state distinguishing from simple surgical deliveries and complex  
11 surgical deliveries.

12 b. The average and range of reimbursement to maternal fetal medicine  
13 physicians, obstetrics/gynecologic physicians, family practice physi-  
14 cians and licensed midwives for labor and a surgical delivery or vaginal  
15 delivery.

16 c. The current range of out-of-pocket expenses, including upfront  
17 payments if applicable, incurred by patients for a surgical delivery or  
18 for a vaginal delivery within New York state by the type and amount.

19 d. The extent to which health insurance plans offered in New York  
20 state provide for additional coverage for the mother in the event of  
21 childbirth complications occurring during a vaginal or surgical deliv-  
22 ery.

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

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1 e. The extent to which insurance providers cover the cost of new born  
2 care in the neo-natal intensive care unit, under what circumstances, and  
3 if related to surgical delivery.

4 f. The extent to which health insurance plans offered in New York  
5 state offer maternity coverage for dependents under the age of 26 and  
6 the range of services covered.

7 g. The extent to which health insurance plans offered in New York  
8 state consider pregnancy a life event that makes a woman eligible for  
9 special enrollment periods.

10 § 2. Within one year of the effective date of this act, the super-  
11 intendent of financial services shall create and submit a report to the  
12 governor, temporary president of the senate, speaker of the assembly,  
13 minority leader of the senate, and the minority leader of the assembly  
14 of the conclusions and recommendations pursuant to section 1 of this  
15 act.

16 § 3. This act shall take effect immediately and shall be repealed 60  
17 days after the submission of the report pursuant to section two of this  
18 act; provided that the superintendent of financial services shall notify  
19 the legislative bill drafting commission upon filing the report required  
20 in section two of this act in order that the commission may maintain an  
21 accurate and timely effective data base of the official text of the laws  
22 of the state of New York in furtherance of effectuating the provisions  
23 of section 44 of the legislative law and section 70-b of the public  
24 officers law.