STATE OF NEW YORK

4827

2021-2022 Regular Sessions

IN SENATE

February 12, 2021

Introduced by Sen. SALAZAR -- read twice and ordered printed, and when printed to be committed to the Committee on Women's Issues

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:

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

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

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

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

d. The extent to which health insurance plans offered in New York state provide for additional coverage for the mother in the event of childbirth complications occurring during a vaginal or surgical delivery.

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

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

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

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

§ 2. Within one year of the effective date of this act, the superintendent of financial services shall create and submit a report to the governor, temporary president of the senate, speaker of the assembly, minority leader of the senate, and the minority leader of the assembly of the conclusions and recommendations pursuant to section 1 of this act.

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