# STATE OF NEW YORK

7263--A

Cal. No. 1086

2021-2022 Regular Sessions

# IN SENATE

June 28, 2021

Introduced by Sens. LIU, MATTERA, SERINO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Insurance in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the insurance law, in relation to allowing victims of domestic violence the opportunity to designate an alternate address for health insurance claims or billing purposes

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

Section 1. Subsections (f) and (g) of section 2612 of the insurance law, subsection (f) as amended by chapter 246 of the laws of 2005 and subsection (g) as added by chapter 361 of the laws of 2006, are amended to read as follows:

(f) If any person covered by an insurance policy issued to another person as the policyholder delivers to the insurer that issued the policy, at its home office, a valid order of protection against the policyholder, issued by a court of competent jurisdiction in this state, **or, except where the insurance policy was issued by a health insurer as defined in subparagraph (B) of paragraph (1) of subsection (h) of this section, a request to designate an alternative mailing address, telephone number or method of contact for the purpose of receiving claim related information if the person states that disclosure of all or part of the claim related information could endanger the person,** the insurer shall be prohibited for the duration of the order**, or until the request designating an alternative mailing address, telephone number or other method of contact is cancelled by the requesting person in writing,** from disclosing to the policyholder the address [~~and~~]**,** telephone number [~~of~~] **or other method of contact for** the insured, or [~~of~~] **for** any person or entity providing covered services to the insured**, any personally identi-**

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

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fying information of the insured, or the nature of the covered services provided to the insured, or from mailing, delivering, or otherwise providing claim related information to any mailing address, telephone number, or other method of contact other than as designated by the requesting person pursuant to this subsection. If a child is the covered person, the right established by this subsection may be asserted by, and shall also extend to, the parent or guardian of the child. An insurer may require a person making a request to designate an alternative mailing address, telephone number or other method of contact pursuant to this subsection to: make the request in writing; include in the request a statement that disclosure of all or part of the claim related information to which the request pertains could endanger the person or child; and specify an alternative mailing address, telephone number, or other method of contact. For the purpose of this subsection, "claim related information" means all claim or billing information relating specifically to an insured or person covered by an insurance policy issued by an insurer other than a health insurer as defined in subparagraph (B) of paragraph (1) of subsection (h) of this section. The superintendent, in consultation with the commissioner of health and the office of children and family services and the office for the prevention of domestic violence, shall promulgate rules to guide and enable insurers to guard against the disclosure of the address and location of an insured who is a victim of domestic violence.

(g) If any person covered by a group insurance policy delivers to the insurer that issued the policy, at its home office, (i) a valid order of protection against another person covered by the group policy, issued by a court of competent jurisdiction in this state, or, except where the insurance policy was issued by a health insurer as defined in subparagraph (B) of paragraph (1) of subsection (h) of this section, a request to designate an alternative mailing address, telephone number or other method of contact for the purpose of receiving claim related information if the person states that disclosure of all or part of the claim related information could endanger the person, the insurer shall be prohibited for the duration of the order, or until the request designating an alternative mailing address, telephone number or other method of contact is cancelled by the requesting person in writing, from disclosing to the person against whom [~~the~~] a valid order of protection was issued the address [~~and~~], telephone number [~~of~~] or other method of contact for the insured person covered by the order of protection or [~~of~~] for any person or entity providing covered services to the insured person covered by the order of protection, any personally identifying information of the insured, or the nature of the covered services provided to the insured, or from mailing, delivering, or otherwise providing claim related information to any mailing address, telephone number, or other method of contact other than as designated by the requesting person pursuant to this subsection. If a child is the covered person, the right established by this subsection may be asserted by, and shall also extend to, the parent or guardian of the child. An insurer may require a person making a request to designate an alternative mailing address, telephone number or other method of contact pursuant to this subsection to: make the request in writing; include in the request a statement that disclosure of all or part of the claim related information to which the request pertains could endanger the person or child; and specify an alternative mailing address, telephone number, or other method of contact. For the purpose of this subsection, "claim related information" means all claim or billing information relating specif-

**ically to an insured or person covered by an insurance policy issued by an insurer other than a health insurer as defined in subparagraph (B) of paragraph (1) of subsection (h) of this section.** The superintendent, in consultation with the commissioner of health, the office of children and family services and the office for the prevention of domestic violence, shall promulgate rules to guide and enable insurers to guard against the disclosure of the address and location of an insured who is a victim of domestic violence.

§ 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.