

# STATE OF NEW YORK

1240

2021-2022 Regular Sessions

## IN ASSEMBLY

January 7, 2021

Introduced by M. of A. CAHILL, FAHY, STECK, WOERNER, GRIFFIN, REYES --  
read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to authorizing health  
insurance reimbursement for certified registered nurse anesthetists  
providing anesthesia services

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

1 Section 1. Paragraphs 27 and 28 of subsection (i) of section 3216 of  
2 the insurance law, paragraph 27 as added by chapter 536 of the laws of  
3 2010 and paragraph 28 as added by chapter 589 of the laws of 2011, are  
4 renumbered paragraphs 36 and 37 respectively and a new paragraph 38 is  
5 added to read as follows:

6 (38) At the discretion of the insurer, anesthesia services provided by  
7 a certified registered nurse anesthetist may be eligible for reimburse-  
8 ment under any policy which provides for coverage for anesthesia  
9 services. Provided however, that nothing contained herein shall be  
10 construed to require an insurer to reimburse both a physician and a  
11 certified registered nurse anesthetist for providing the same anesthe-  
12 siology services. The term "certified registered nurse anesthetist" as  
13 used in this paragraph shall mean a person who has satisfactorily  
14 completed educational preparation for provision of these services in a  
15 program registered by the department of education or in a program  
16 accredited by a national body recognized by the department of education  
17 or determined by the department of education to be the equivalent; and  
18 submit evidence of current certification or recertification by a  
19 national certifying body, recognized by the department of education.

20 § 2. Subsection (1) of section 3221 of the insurance law is amended by  
21 adding a new paragraph 21 to read as follows:

22 (21) At the discretion of the insurer, anesthesia services provided by  
23 a certified registered nurse anesthetist may be eligible for reimburse-  
24 ment under any policy which provides for coverage for anesthesia

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

LBD01349-01-1

1 services. Provided however, that nothing contained herein shall be  
2 construed to require an insurer to reimburse both a physician and a  
3 certified registered nurse anesthetist for providing the same anes-  
4 thesiology services. The term "certified registered nurse anesthetist" as  
5 used in this paragraph shall mean a person who has satisfactorily  
6 completed educational preparation for provision of these services in a  
7 program registered by the department of education or in a program  
8 accredited by a national body recognized by the department of education  
9 or determined by the department of education to be the equivalent; and  
10 submit evidence of current certification or recertification by a  
11 national certifying body, recognized by the department of education.

12 § 3. Section 4303 of the insurance law is amended by adding a new  
13 subsection (ss) to read as follows:

14 (ss) At the discretion of the insurer, anesthesia services provided by  
15 a certified registered nurse anesthetist may be eligible for reimburse-  
16 ment under any policy which provides for coverage for anesthesia  
17 services. Provided however, that nothing contained herein shall be  
18 construed to require an insurer to reimburse both a physician and a  
19 certified registered nurse anesthetist for providing the same anes-  
20 thesiology services. The term "certified registered nurse anesthetist" as  
21 used in this subsection shall mean a person who has satisfactorily  
22 completed educational preparation for provision of these services in a  
23 program registered by the department of education or in a program  
24 accredited by a national body recognized by the department of education  
25 or determined by the department of education to be the equivalent; and  
26 submit evidence of current certification or recertification by a  
27 national certifying body, recognized by the department of education.

28 § 4. This act shall take effect January 1, 2023 and shall apply to  
29 policies and contracts issued, renewed, modified, altered or amended on  
30 or after such effective date.