STATE OF NEW YORK

1327

2021-2022 Regular Sessions

IN ASSEMBLY

January 8, 2021

Introduced by M. of A. WOERNER, ENGLEBRIGHT, SIMON, GOTTFRIED, DICKENS, THIELE, CRUZ, NIOU, GUNTHER, SEAWRIGHT, GLICK, FRONTUS, REYES, O'DONNELL, PICHARDO -- Multi-Sponsored by -- M. of A. SAYEGH -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to gender indication on claim forms

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

Section 1. Subsection (i) of section 3216 of the insurance law is amended by adding a new paragraph 36 to read as follows:

(36) Every policy delivered or issued for delivery in this state that provides coverage for hospital, surgical or medical care shall not exclude coverage for screening, diagnosis and treatment of medical conditions, or services otherwise covered by the policy solely on the basis of the gender indicated on a claim form, or that the gender indicated on a claim form is different from the insured's sex assigned at birth or gender otherwise recorded, or that the insured is not of the gender to whom a service is typically or exclusively provided.

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

(21) Every policy delivered or issued for delivery in this state that provides coverage for hospital, surgical or medical care shall not exclude coverage for screening, diagnosis and treatment of medical conditions, or services otherwise covered by the policy solely on the basis of the gender indicated on a claim form, or that the gender indicated on a claim form is different from the insured's sex assigned at birth or gender otherwise recorded, or that the insured is not of the gender to whom a service is typically or exclusively provided.

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

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

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(ss) Every contract issued by a corporation subject to the provisions of this article that provides coverage for hospital, surgical or medical care shall not exclude coverage for screening, diagnosis and treatment of medical conditions, or services otherwise covered by the contract solely on the basis of the gender indicated on a claim form, or that the gender indicated on a claim form is different from the insured's sex assigned at birth or gender otherwise recorded, or that the insured is not of the gender to whom a service is typically or exclusively provided.

§ 4. This act shall take effect on the first of January next succeeding the date on which it shall have become a law and shall apply to policies and contracts issued, renewed, modified, altered or amended on and after such date.