

# STATE OF NEW YORK

1733

2021-2022 Regular Sessions

## IN ASSEMBLY

January 11, 2021

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

AN ACT to amend the insurance law, in relation to the designation of an independent consumer assistance program

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

1 Section 1. The insurance law is amended by adding a new section 211 to  
2 read as follows:

3 § 211. Independent consumer assistance program. The superintendent, in  
4 consultation with the commissioner of health, shall designate an inde-  
5 pendent consumer assistance program that will have the following duties:

6 (a) The independent consumer assistance program shall:

7 (1) assist consumers with the filing of complaints and appeals,  
8 including filing appeals with the internal appeal or grievance process  
9 of the group health plans or health insurance issuers involved and  
10 providing information about and assisting consumers with the external  
11 appeals and administrative hearing process;

12 (2) collect, track, and quantify problems and inquiries encountered by  
13 consumers;

14 (3) educate consumers on their rights and responsibilities with  
15 respect to group health plans and health insurance coverage;

16 (4) assist consumers with enrollment in a group health plan or health  
17 insurance coverage by providing information, referral, and assistance;

18 (5) resolve problems with obtaining premium tax credits under section  
19 36B of the Internal Revenue Code of 1986;

20 (6) assist consumers with disputes eligible for resolution under arti-  
21 cle six of the financial services law;

22 (7) assist uninsured, insured, or underinsured consumers in accessing  
23 appropriate health care services, hospital financial assistance or the  
24 resolution of their health care bills; and

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

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1 (8) provide assistance to health consumers on any additional matters  
2 related to accessing health insurance coverage and health care services.

3 (b) All New York state regulated health plans shall be required to  
4 list the name, phone number, address and email of the state independent  
5 consumer assistance programs on notices to consumers of adverse determi-  
6 nations and explanation of benefits and in the subscriber agreement,  
7 member handbook and any additional consumer facing materials as deter-  
8 mined by the superintendent and the commissioner of health.

9 § 2. This act shall take effect immediately.