STATE OF NEW YORK

6007

2021-2022 Regular Sessions

IN ASSEMBLY

March 4, 2021

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

AN ACT to amend the insurance law and the public health law, in relation to permitting pregnant women to enroll in the state health insurance exchange at any time without penalty

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

Section 1. Section 3217-c of the insurance law is amended by adding a new subsection (d) to read as follows:

(d) An insurer, subject to the provisions of this article, a corporation organized pursuant to article forty-three of this chapter, or a licensed maintenance organization under article forty-four of the public health law, that issues a health insurance policy or contract that provides eligibility for a special enrollment period shall allow for the enrollment of a pregnant individual at any time after the commencement of the pregnancy, as certified by a health care practitioner licensed pursuant to title eight of the education law acting within the scope of his or her practice. Such health insurance policy or contract shall not impose a fee or other penalty for special enrollment of the pregnant individual. Coverage shall be effective as of the first of the month in which the individual receives certification of the pregnancy.

§ 2. The public health law is amended by adding a new section 2509-c to read as follows:

§ 2509-c. Special enrollment; pregnancy. An insurer, subject to the provisions of article thirty-two of the insurance law, a corporation organized pursuant to article forty-three of the insurance law, or a licensed maintenance organization under article forty-four of this chapter, that issues a health insurance policy or contract that provides eligibility for a special enrollment period shall allow for the enrollment of a pregnant individual at any time after the commencement of the pregnancy, as certified by a health care practitioner licensed pursuant

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

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to title eight of the education law, acting within his or her scope of practice. Such health insurance policy or contract shall not impose a fee or other penalty for special enrollment of the pregnant individual. Coverage shall be deemed effective as of the first of the month in which the individual receives certification of the pregnancy.

§ 3. 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 all qualified health plans issued, renewed, modified, altered or amended on or after such effective date. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.