

STATE OF NEW YORK

7263

2021-2022 Regular Sessions

IN SENATE

June 28, 2021

Introduced by Sen. LIU -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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:

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

5 (f) If any person covered by an insurance policy issued to another
6 person as the policyholder delivers to the insurer that issued the poli-
7 cy, at its home office, (i) a valid order of protection against the
8 policyholder, issued by a court of competent jurisdiction in this state,
9 or (ii) a request to designate an alternative mailing address, telephone
10 number or other contact information for the purpose of receiving specif-
11 ic claim information or for specific billing purposes relating to such
12 insured accompanied by a signed statement made under oath that he or she
13 is a victim of domestic violence and the disclosure of such information
14 would endanger him or her the insurer shall be prohibited for the dura-
15 tion of the order, or until the request made pursuant to this paragraph,
16 is cancelled by the requesting party in writing from disclosing to the
17 policyholder the address [~~and~~], telephone number or other contact infor-
18 mation of the insured, or of any person or entity providing covered
19 services to the insured or from mailing any information described in
20 this paragraph to any address other than the designated alternative
21 address provided pursuant to such paragraph. If a child is the covered
22 person, the right established by this subsection may be asserted by, and
23 shall also extend to, the parent or guardian of the child. The super-
24 intendent, in consultation with the commissioner of health and the

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

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1 office of children and family services and the office for the prevention
2 of domestic violence, shall promulgate rules to guide and enable insur-
3 ers to guard against the disclosure of the address and location of an
4 insured who is a victim of domestic violence.

5 (g) If any person covered by a group insurance policy delivers to the
6 insurer that issued the policy, at its home office, (i) a valid order of
7 protection against another person covered by the group policy, issued by
8 a court of competent jurisdiction in this state, or (ii) a request to
9 designate an alternative mailing address, telephone number or other
10 contact information for the purpose of receiving specific claim informa-
11 tion or for specific billing purposes relating to such insured accompa-
12 nied by a signed statement made under oath that he or she is a victim of
13 domestic violence and the disclosure of such information would endanger
14 him or her the insurer shall be prohibited for the duration of the order
15 or until the request made pursuant to this paragraph, is cancelled by
16 the requesting party in writing from disclosing to the person against
17 whom ~~the~~ a valid order of protection was issued the address ~~and~~,
18 telephone number or other contact information of the insured person
19 covered by the order of protection~~7~~; mailing any information described
20 in this paragraph to any address other than the designated alternative
21 address provided pursuant to such paragraph; or disclosing the address,
22 telephone number, or other contact information of any person or entity
23 providing covered services to the insured person covered by the order of
24 protection or the person making a request under this subsection. If a
25 child is the covered person, the right established by this subsection
26 may be asserted by, and shall also extend to, the parent or guardian of
27 the child. The superintendent, in consultation with the commissioner of
28 health, the office of children and family services and the office for
29 the prevention of domestic violence, shall promulgate rules to guide and
30 enable insurers to guard against the disclosure of the address and
31 location of an insured who is a victim of domestic violence.

32 § 2. This act shall take effect on the first of January next succeed-
33 ing the date on which it shall have become a law.