

STATE OF NEW YORK

1682

2023-2024 Regular Sessions

IN ASSEMBLY

January 17, 2023

Introduced by M. of A. WOERNER, SIMON, DICKENS, THIELE, CRUZ, GUNTHER,
SEAWRIGHT, GLICK, REYES -- 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 Assem-
bly, do enact as follows:

1 Section 1. Subsection (i) of section 3216 of the insurance law is
2 amended by adding a new paragraph 39 to read as follows:

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

11 § 2. Subsection (1) of section 3221 of the insurance law is amended by
12 adding a new paragraph 22 to read as follows:

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

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

23 (uu) Every contract issued by a corporation subject to the provisions
24 of this article that provides coverage for hospital, surgical or medical

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

LBD04905-01-3

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.