

STATE OF NEW YORK

1682--B

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to prohibiting the exclusion of coverage based upon gender indication on claim forms

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

1 Section 1. Paragraphs 7 and 8 of subsection (a) of section 3243 of the
2 insurance law, as added by section 2 of subpart D of part J of chapter
3 57 of the laws of 2019, are amended and a new paragraph 9 is added to
4 read as follows:

5 (7) fix any lower rate or discriminate in the fees or commissions of
6 insurance agents or insurance brokers for writing or renewing such a
7 policy; [~~or~~]

8 (8) engage in sexual stereotyping[~~-~~]; or

9 (9) deny a claim of an insured because the insured's gender or sex
10 indicated on a claim form submitted to the insurer is different from the
11 sex or gender indicated on the insured's policy forms, unless the insur-
12 er has taken reasonable steps, including requesting additional informa-
13 tion, to determine whether the insured is eligible for the services
14 prior to denial of such claim.

15 § 2. Paragraphs 7 and 8 of subsection (a) of section 4330 of the
16 insurance law, as added by section 3 of subpart D of part J of chapter
17 57 of the laws of 2019, are amended and a new paragraph 9 is added to
18 read as follows:

19 (7) fix any lower rate or discriminate in the fees or commissions of
20 insurance agents or insurance brokers for writing or renewing such a
21 contract; [~~or~~]

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

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1 (8) engage in sexual stereotyping[~~+~~]; or
2 (9) deny a claim of an insured because the insured's gender or sex
3 indicated on a claim form submitted to the insurer is different from the
4 sex or gender indicated on the insured's policy forms, unless the insur-
5 er has taken reasonable steps, including requesting additional informa-
6 tion, to determine whether the insured is eligible for the services
7 prior to denial of such claim.

8 § 3. This act shall take effect immediately.