# STATE OF NEW YORK

3980

2023-2024 Regular Sessions

# IN ASSEMBLY

February 8, 2023

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

AN ACT to amend the insurance law, in relation to requiring insurance coverage for lactation consultant services

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

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

**(39) Every policy that provides coverage for hospital, surgical or medical care shall provide outpatient coverage for lactation consultant services. Coverage provided under this paragraph may be subject to annual deductibles and co-insurance as deemed appropriate by the superintendent and that are consistent with those imposed on other benefits within a given policy. For the purposes of this paragraph, "lactation consultant" shall mean a professionally certified counselor who evaluates and manages lactation and infant feeding problems and provides preventive clinical consulting to prevent or minimize the occurrence of potential problems.**

§ 2. Subsection (k) of section 3221 of the insurance law is amended by adding a new paragraph 23 to read as follows:

**(23) Every group or blanket policy delivered or issued for delivery in this state that provides coverage for hospital, surgical or medical care shall provide such coverage for lactation consultant services. For the purposes of this paragraph, "lactation consultant" shall mean a professionally certified counselor who evaluates and manages lactation and infant feeding problems and provides preventive clinical consulting to prevent or minimize the occurrence of potential problems.**

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

**(uu) A medical expense indemnity corporation, a hospital service corporation or a health service corporation that provides coverage for**

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

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**hospital, surgical or medical care shall provide such coverage for lactation consultant services. For the purposes of this subsection, "lactation consultant" shall mean a professionally certified counselor who evaluates and manages lactation and infant feeding problems and provides preventive clinical consulting to prevent or minimize the occurrence of potential problems.**

§ 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 all insurance policies, contracts and plans issued, renewed, modified, altered or amended on or after such effective date.