

# STATE OF NEW YORK

5729

2023-2024 Regular Sessions

## IN ASSEMBLY

March 23, 2023

Introduced by M. of A. PAULIN, STECK, BURDICK, HEVESI, KELLES, McMAHON, SIMON, ZEBROWSKI, J. A. GIGLIO, McDONOUGH -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to requiring certain insurers to provide coverage for tattooing performed by a physician as part of breast reconstruction surgery

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

1 Section 1. Paragraph 20 of subsection (i) of section 3216 of the  
2 insurance law is amended by adding a new subparagraph (A-1) to read as  
3 follows:

4 (A-1) Every policy providing coverage as required by subparagraph (A)  
5 of this paragraph shall also provide coverage for the tattooing of the  
6 nipple-areolar complex pursuant to or as part of such reconstruction if  
7 such tattooing is performed by a licensed physician working within their  
8 scope of practice.

9 § 2. Paragraph 10 of subsection (k) of section 3221 of the insurance  
10 law is amended by adding a new subparagraph (A-1) to read as follows:

11 (A-1) Every group or blanket policy providing coverage as required by  
12 subparagraph (A) of this paragraph shall also provide coverage for the  
13 tattooing of the nipple-areolar complex pursuant to or as part of such  
14 reconstruction if such tattooing is performed by a licensed physician  
15 working within their scope of practice.

16 § 3. Subsection (x) of section 4303 of the insurance law is amended by  
17 adding a new paragraph 1-A to read as follows:

18 (1-A) Every contract providing coverage as required by paragraph one  
19 of this subsection shall also provide coverage for the tattooing of the  
20 nipple-areolar complex pursuant to or as part of such reconstruction if  
21 such tattooing is performed by a licensed physician working within their  
22 scope of practice.

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

LBD05882-01-3

1 § 4. This act shall take effect on the first of January next succeed-  
2 ing the date on which it shall have become a law and shall apply to  
3 policies issued, reissued, renewed, modified or amended on or after such  
4 date.