# STATE OF NEW YORK

5729--A

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, WEPRIN -- read once and referred to the Committee on Insurance -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules

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:**

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

**(A-1) Every policy providing coverage as required by subparagraph (A) of this paragraph shall also provide coverage for the tattooing of the nipple-areolar complex pursuant to or as part of such reconstruction if such tattooing is performed by a licensed physician or other health care practitioner licensed, certified, or authorized pursuant to title eight of the education law and acting within their scope of practice.**

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

**(A-1) Every group or blanket policy providing coverage as required by subparagraph (A) of this paragraph shall also provide coverage for the tattooing of the nipple-areolar complex pursuant to or as part of such reconstruction if such tattooing is performed by a licensed physician or other health care practitioner licensed, certified, or authorized pursuant to title eight of the education law and acting within their scope of practice.**

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

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

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**(1-A) Every contract providing coverage as required by paragraph one of this subsection shall also provide coverage for the tattooing of the nipple-areolar complex pursuant to or as part of such reconstruction if such tattooing is performed by a licensed physician or other health care practitioner licensed, certified, or authorized pursuant to title eight of the education law and acting within their scope of practice.**

§ 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 issued, reissued, renewed, modified or amended on or after such date.