STATE OF NEW YORK

8576

IN ASSEMBLY

January 12, 2024

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

AN ACT to amend the insurance law, in relation to prohibiting the imposition of a charge or deduction from a payment due to a health care provider because such payment is made through electronic or paper means

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

Section 1. The closing paragraph of subsection (b) of section 3224-a of the insurance law, as amended by chapter 694 of the laws of 2021, is amended to read as follows:

Upon receipt of the information requested in paragraph three of this subsection or an appeal of a claim or bill for health care services denied pursuant to this subsection, an insurer or organization or corporation licensed or certified pursuant to article forty-three or forty-seven of this chapter or article forty-four of the public health law shall comply with subsection (a) of this section; provided, that if the insurer or organization or corporation licensed or certified pursuant to article forty-three or forty-seven of this chapter or article forty-four of the public health law determines that payment or additional payment is due on the claim, such payment shall be made to the policyholder or covered person or health care provider within fifteen days of the determination. Any denial or partial approval of claim or payment and the specific reasons for such denial or partial approval pursuant to this subsection shall be prominently displayed on a written notice with at least twelve-point type. A partial approval of claim or payment shall state at the top of such written notice with at least fourteen-point type bold: "NOTICE OF PARTIAL APPROVAL OF MEDICAL COVERAGE". A denial of claim or payment shall state at the top of such written notice with at least fourteen-point type bold: "NOTICE OF DENIAL OF MEDICAL COVERAGE". Any additional terms or conditions included on such notice of partial approval or such notice of denial, such as but not limited to time restraints to file an appeal, shall be included with at least twelve-point type. **No insurer, organization or corporation licensed or certi-**

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

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fied pursuant to article forty-three or forty-seven of this chapter or article forty-four of the public health law shall impose a charge or make a deduction from a payment due to a health care provider because such payment is made through electronic or paper means.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law and shall apply to payments made on and after such effective date.