STATE OF NEW YORK

9741

IN ASSEMBLY

April 3, 2024

Introduced by M. of A. K. BROWN, CHANG, CURRAN, DeSTEFANO -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to directing the state comptroller to conduct an audit of the department of financial services to ensure the agency is meeting its responsibility to evaluate and assess insurer compliance with federal and state mental health and substance use disorder parity requirements

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

Section 1. The executive law is amended by adding a new section 41-b to read as follows:

§ 41-b. Audits of agencies by the comptroller. 1. At least biennially, the state comptroller shall conduct an audit of the department of financial services for the purpose of ensuring the agency meets its responsibility to evaluate and assess insurer compliance with federal and state mental health and substance use disorder parity requirements pursuant to article three of the insurance law.

2. (a) Upon completion of such audit pursuant to subdivision one of this section, the state comptroller shall publish a report that details the results of such audit including, but not limited to, a determination of the department of financial services' accuracy and effectiveness in measuring and evaluating insurer compliance with federal and state parity requirements, determinations of compliance with federal and state parity requirements for each insurer, and thorough explanations describing the reason, or reasons for making such compliance determinations.

(b) The state comptroller shall provide such report to the governor, the attorney general, the temporary president of the senate, the speaker of the assembly, the minority leader of the senate, the minority leader of the assembly, the chair and the ranking member of the senate committee on alcoholism and substance use disorders, the chair and the ranking member of the assembly committee on alcoholism and drug abuse, the chairs and the ranking members of the senate and the assembly committees on mental health, and the chairs and the ranking members of the senate and the assembly committees on insurance no later than the first day of

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

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July of the year immediately succeeding the effective date of this section. Subsequent reports detailing results and determinations of the state comptroller shall be completed and published at least biennially following publication of the first such report on or before the first day of July.

§ 2. This act shall take effect immediately.