STATE OF NEW YORK

1002

2023-2024 Regular Sessions

IN SENATE

January 9, 2023

Introduced by Sens. HOYLMAN, MYRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law, in relation to requiring health insurance coverage for home test kits for sexually transmitted diseases

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 which provides hospital, surgical or medical coverage or provides reimbursement for laboratory tests or reimbursement for diagnostic X-ray services shall provide coverage for home test kits for sexually transmitted diseases. For purposes of this paragraph, "home test kit" means a product used for a test recommended by the federal Centers for Disease Control and Prevention guidelines or the United States Preventive Services Task Force, that has been Clinical Laboratory Improvement Amendments of 1988-waived, cleared or approved by the United States Food and Drug Administration, or developed by a laboratory in accordance with established regulations and quality standards, to allow individuals to self-collect specimens for sexually transmitted diseases, including HIV, remotely at a location outside of a clinical setting.

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

(23) Every policy which provides hospital, surgical or medical coverage or provides reimbursement for laboratory tests or reimbursement for diagnostic X-ray services shall provide coverage for home test kits for sexually transmitted diseases. For purposes of this paragraph, "home test kit" means a product used for a test recommended by the federal Centers for Disease Control and Prevention guidelines or the United States Preventive Services Task Force, that has been Clinical Laboratory Improvement Amendments of 1988-waived, cleared or approved by the United

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

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States Food and Drug Administration, or developed by a laboratory in accordance with established regulations and quality standards, to allow individuals to self-collect specimens for sexually transmitted diseases, including HIV, remotely at a location outside of a clinical setting.

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

(uu) Every policy which provides hospital, surgical or medical coverage or provides reimbursement for laboratory tests or reimbursement for diagnostic X-ray services shall provide coverage for home test kits for sexually transmitted diseases. For purposes of this subsection, "home test kit" means a product used for a test recommended by the federal Centers for Disease Control and Prevention guidelines or the United States Preventive Services Task Force, that has been Clinical Laboratory Improvement Amendments of 1988-waived, cleared or approved by the United States Food and Drug Administration, or developed by a laboratory in accordance with established regulations and quality standards, to allow individuals to self-collect specimens for sexually transmitted diseases, including HIV, remotely at a location outside of a clinical setting.

§ 4. This act shall take effect on the ninetieth day after it shall have become a law and shall apply to any policy issued, delivered, renewed, and/or modified on or after the effective date of this act. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.