

# 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 Assem-  
bly, do enact as follows:

1 Section 1. Subsection (i) of section 3216 of the insurance law is  
2 amended by adding a new paragraph 39 to read as follows:

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

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

17 (23) Every policy which provides hospital, surgical or medical cover-  
18 age or provides reimbursement for laboratory tests or reimbursement for  
19 diagnostic X-ray services shall provide coverage for home test kits for  
20 sexually transmitted diseases. For purposes of this paragraph, "home  
21 test kit" means a product used for a test recommended by the federal  
22 Centers for Disease Control and Prevention guidelines or the United  
23 States Preventive Services Task Force, that has been Clinical Laboratory  
24 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.

LBD04068-01-3

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

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

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

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