STATE OF NEW YORK

3038

2023-2024 Regular Sessions

IN SENATE

January 27, 2023

Introduced by Sens. STEC, GALLIVAN -- 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 certain health insurance policies to cover costs for pediatric acute-onset neuropsychiatric syndrome

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)(A) Every health plan, and health insurance issuer offering health insurance coverage in connection with a group health plan, shall provide coverage for a participant or beneficiary who has pediatric acute-onset neuropsychiatric syndrome if the attending physician of the participant or beneficiary certifies in writing the medical necessity of that proposed course of rehabilitative treatment.

(B) As used in this paragraph, the term "pediatric acute-onset neuropsychiatric syndrome" shall have the same meaning as such term is used in paragraph (n) of subdivision one of section two hundred seven of the public health law.

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

(23) (A) Every health plan, and health insurance issuer offering health insurance coverage in connection with a group health plan, shall provide coverage for a participant or beneficiary who has pediatric acute-onset neuropsychiatric syndrome if the attending physician of the participant or beneficiary certifies in writing the medical necessity of that proposed course of rehabilitative treatment.

(B) As used in this paragraph, the term "pediatric acute-onset neuropsychiatric syndrome" shall have the same meaning as such term is used in paragraph (n) of subdivision one of section two hundred seven of the public health law.

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

LBD07308-01-3

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

(uu)(1) Every health plan, and health insurance issuer offering health insurance coverage in connection with a group health plan, shall provide coverage for a participant or beneficiary who has pediatric acute-onset neuropsychiatric syndrome if the attending physician of the participant or beneficiary certifies in writing the medical necessity of that proposed course of rehabilitative treatment.

(2) As used in this subsection, the term "pediatric acute-onset neuropsychiatric syndrome" shall have the same meaning as such term is used in paragraph (n) of subdivision one of section two hundred seven of the public health law.

§ 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 according to its terms to all policies, contracts and certificates issued, renewed, modified, altered or amended on or after such effective date.