

STATE OF NEW YORK

7126--A

2023-2024 Regular Sessions

IN SENATE

May 18, 2023

Introduced by Sen. SALAZAR -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance -- recommitted to the Committee on Insurance in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to requiring insurance coverage for lactation consultant services

The People of the State of New York, represented in Senate and Assembly, 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 that provides coverage for hospital, surgical or
4 medical care shall provide outpatient coverage for lactation consultant
5 services. Coverage provided under this paragraph may be subject to
6 annual deductibles and co-insurance as deemed appropriate by the super-
7 intendent and that are consistent with those imposed on other benefits
8 within a given policy. For the purposes of this paragraph, "lactation
9 consultant" shall mean an individual who holds the international board
10 certified lactation consultant (IBCLC) credential who is in good stand-
11 ing with the international board of lactation consultant examiners who
12 evaluates and manages lactation and infant feeding problems and provides
13 preventive clinical consulting to prevent or minimize the occurrence of
14 potential problems.

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 group or blanket policy delivered or issued for delivery in
18 this state that provides coverage for hospital, surgical or medical care
19 shall provide such coverage for lactation consultant services. For the
20 purposes of this paragraph, "lactation consultant" shall mean an indi-
21 vidual who holds the international board certified lactation consultant
22 (IBCLC) credential who is in good standing with the international board

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

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1 of lactation consultant examiners who evaluates and manages lactation
2 and infant feeding problems and provides preventive clinical consulting
3 to prevent or minimize the occurrence of potential problems.

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

6 (vv) A medical expense indemnity corporation, a hospital service
7 corporation or a health service corporation that provides coverage for
8 hospital, surgical or medical care shall provide such coverage for
9 lactation consultant services. For the purposes of this subsection,
10 "lactation consultant" shall mean an individual who holds the interna-
11 tional board certified lactation consultant (IBCLC) credential who is in
12 good standing with the international board of lactation consultant exam-
13 iners who evaluates and manages lactation and infant feeding problems
14 and provides preventive clinical consulting to prevent or minimize the
15 occurrence of potential problems.

16 § 4. This act shall take effect on the first of January next succeed-
17 ing the date on which it shall have become a law and shall apply to all
18 insurance policies, contracts and plans issued, renewed, modified,
19 altered or amended on or after such effective date.