STATE OF NEW YORK

7303

2023-2024 Regular Sessions

IN SENATE

May 19, 2023

Introduced by Sen. SCARCELLA-SPANTON -- 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 coverage for medical genetic testing for adoptees and persons placed in foster care

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 policy that provides hospital, surgical or medical care coverage or provides reimbursement for laboratory tests or reimbursement for diagnostic X-ray services shall provide coverage for comprehensive medical genetic testing to determine the presence or absence of an inherited genetic characteristic in an individual, including tests of nucleic acid such as DNA, RNA, and mitochondrial DNA, chromosomes or proteins in order to identify a predisposing genetic characteristic to persons who were adoptees as defined in subdivision one of section one hundred nine of the domestic relations law or who were persons placed in foster care.

(B) Coverage provided under this paragraph may be limited to persons residing in New York state.

(C) Coverage provided under this paragraph may be subject to annual deductibles and co-insurance as deemed appropriate by the superintendent.

§ 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 group or blanket policy delivered or issued for delivery in this state which provides hospital, surgical or medical care coverage or provides reimbursement for laboratory tests or reimbursement for diagnostic X-ray services shall provide coverage for comprehensive medical genetic testing to determine the presence or absence of an inherited genetic characteristic in an individual, including tests of

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

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nucleic acid such as DNA, RNA, and mitochondrial DNA, chromosomes or proteins in order to identify a predisposing genetic characteristic to persons who were adoptees as defined in subdivision one of section one hundred nine of the domestic relations law or persons who were placed in foster care.

(B) Coverage provided under this paragraph may be limited to persons residing in New York state.

(C) Coverage provided under this paragraph may be subject to annual deductibles and co-insurance as deemed appropriate by the superintendent.

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

(vv) (1) Every contract issued by a medical expense indemnity corporation, hospital service corporation or health service corporation that provides hospital, surgical or medical care coverage or provides reimbursement for laboratory tests or reimbursement for diagnostic X-ray services shall provide coverage for comprehensive medical genetic testing to determine the presence or absence of an inherited genetic characteristic in an individual, including tests of nucleic acid such as DNA, RNA, and mitochondrial DNA, chromosomes or proteins in order to identify a predisposing genetic characteristic to persons who were adoptees as defined in subdivision one of section one hundred nine of the domestic relations law or persons who were placed in foster care.

(2) Coverage provided under this subsection may be limited to persons residing in New York state.

(3) Coverage provided under this subsection may be subject to annual deductibles and co-insurance as deemed appropriate by the superintendent.

§ 4. This act shall take effect on the ninetieth day after it shall have become a law and shall apply to any policy issued, renewed, modified, altered, or amended on or after such date.