STATE OF NEW YORK

7921--A

IN SENATE

January 3, 2024

Introduced by Sen. RHOADS -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to coverage of certain procedures to detect breast cancer

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subparagraph (A) of paragraph 11 of subsection (l) of section 3221 of the insurance law, as amended by chapter 143 of the laws of 2019, is amended to read as follows:

(A) Every insurer delivering a group or blanket policy or issuing a group or blanket policy for delivery in this state that provides coverage for hospital, surgical or medical care shall provide the following coverage for mammography screening for occult breast cancer:

(i) upon the recommendation of a physician, a mammogram, which may be provided by breast tomosynthesis, at any age for covered persons having a prior history of breast cancer or who have a first degree relative with a prior history of breast cancer;

(ii) a single baseline mammogram, which may be provided by breast tomosynthesis[~~, for covered persons aged thirty-five through thirty-nine, inclusive~~]; **and**

(iii) [~~an annual mammogram, which may be provided by breast tomosynthesis, for covered persons aged forty and older; and~~

~~(iv)~~] for large group policies that provide coverage for hospital, surgical or medical care, [~~an annual mammogram~~] **mammograms** for covered persons [~~aged thirty-five through thirty-nine, inclusive~~] **having a prior history of breast cancer or who have a first degree relative with a prior history of breast cancer, or any sonogram or other diagnostic procedure used to detect breast cancer,** upon the recommendation of a physician, subject to the insurer's determination that the mammogram is medically necessary.

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

LBD11825-03-4

§ 2. Subparagraph (D) of paragraph 1 of subsection (p) of section 4303 of the insurance law, as amended by chapter 143 of the laws of 2019, is amended to read as follows:

(D) for large group contracts offered by a medical expense indemnity corporation, a hospital service corporation or a health service corporation that provide coverage for hospital, surgical or medical care, [~~an annual mammogram~~] **mammograms** for covered persons [~~aged thirty-five through thirty-nine, inclusive~~] **having a prior history of breast cancer or who have a first degree relative with a prior history of breast cancer, or any sonogram or other diagnostic procedure used to detect breast cancer,** upon the recommendation of a physician, subject to the corporation's determination that the mammogram is medically necessary; and

§ 3. This act shall take effect on the thirtieth day after it shall have become a law, and shall apply to policies and contracts issued, renewed, modified, altered or amended on or after such effective date.