STATE OF NEW YORK

9185

IN SENATE

May 2, 2024

Introduced by Sen. COONEY -- 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 insurance coverage for in vitro fertilization

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

Section 1. Item (viii) of subparagraph (C) of paragraph 6 of subsection (k) of section 3221 of the insurance law, as amended by section 1 of part L of chapter 57 of the laws of 2019, is amended to read as follows:

(viii) No insurer providing coverage under this paragraph shall discriminate based on an insured's expected length of life, present of predicted disability, degree of medical dependency, perceived quality of life, or other health conditions, nor based on personal characteristics, including age, sex, sexual orientation, marital status or gender identity. **No insurer providing coverage under this paragraph shall require the transfer of all embryos from a prior cycle as a prerequisite for coverage of a subsequent cycle for a female thirty-five years of age or older.**

§ 2. Subparagraph (H) of paragraph 3 of subsection (s) of section 4303 of the insurance law, as amended by section 2 of part L of chapter 57 of the laws of 2019, is amended to read as follows:

(H) No corporation providing coverage under this subsection shall discriminate based on an insured's expected length of life, present or predicted disability, degree of medical dependency, perceived quality of life, or other health conditions, nor based on personal characteristics, including age, sex, sexual orientation, marital status or gender identity. **No corporation providing coverage under this subsection shall require the transfer of all embryos from a prior cycle as a prerequisite for coverage of a subsequent cycle for a female thirty-five years of age or older.**

§ 3. This act shall take effect immediately.

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

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