STATE OF NEW YORK

2656

2023-2024 Regular Sessions

IN ASSEMBLY

January 26, 2023

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Introduced by M. of A. WALKER, CLARK -- read once and referred to the
  Committee on Insurance

AN ACT to amend the insurance law, in relation to permitting pregnant
  women to enroll in health insurance during a special enrollment period
  without penalty

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

 1   Section 1. Subparagraph (B) of paragraph 4 of subsection (b) of
 2 section 4328 of the insurance law, as amended by chapter 11 of the laws
 3 of 2016, is amended to read as follows:
 4   (B) In addition to the enrollment periods required in subparagraph (A)
 5 of this paragraph, an individual enrollee direct payment contract
 6 offered pursuant to this section shall allow for the enrollment of a
 7 pregnant individual. Such individual may enroll at any time after a
 8 health care professional licensed pursuant to title eight of the educa-
 9 tion law and acting within the scope of his or her practice certifies
10 that the individual is pregnant*. Such health insurance policy or*
11 *contract shall not impose a fee or other penalty for special enrollment*
12 *of the pregnant individual*. Upon enrollment, coverage shall be effec-
13 tive as of the first day of the month in which the health care profes-
14 sional certifies that the individual is pregnant, unless the individual
15 elects to have coverage effective on the first day of the month follow-
16 ing the date that the individual received certification of the pregnan-
17 cy.
18   § 2. This act shall take effect on the first of January next succeed-
19 ing the date on which it shall have become a law and shall apply to all
20 policies or contracts issued, renewed, modified, altered or amended on
21 or after such effective date. Effective immediately, the addition,
22 amendment and/or repeal of any rule or regulation necessary for the
23 implementation of this act on its effective date are authorized to be
24 made and completed on or before such effective date.

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