STATE OF NEW YORK

3462

2023-2024 Regular Sessions

IN ASSEMBLY

February 3, 2023

Introduced by M. of A. SANTABARBARA -- read once and referred to the Committee on Health

AN ACT to amend the public health law and the state finance law, in relation to providing lifetime, premium-free insurance to a person who donates a kidney during the course of his or her lifetime

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

Section 1. The public health law is amended by adding a new section 4311 to read as follows:

§ 4311. Health insurance for kidney donors. Any person who donates a kidney as a live kidney donor shall be eligible after such donation to receive health insurance through the New York state of health marketplace for the duration of such donor's life. The state shall be responsible for the payment of all premiums in connection with the insurance; neither the donor nor his or her employer shall be liable for the premiums. Insurance provided pursuant to this section shall include the highest level of services available through the gold level of the New York state of health marketplace and shall include prescription drug coverage. Such insurance shall be paid for by the state from the kidney donor insurance fund established under section ninety-nine-qq of the state finance law. The department may consult with the department of financial services to ensure the program established by this section is best effectuated.

§ 2. The state finance law is amended by adding a new section 99-qq to read as follows:

§ 99-qq. Kidney donor insurance fund. 1. There is hereby established in the joint custody of the commissioner of health and the superintendent of the department of financial services a special fund to be known as the "kidney donor insurance fund".

2. The fund shall consist of all monies appropriated for its purpose, all monies transferred to such fund pursuant to law, all monies required

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

LBD05823-01-3

by this section or any other provision of law to be paid into or credited to the fund and any interest earnings which may accrue from the investment of monies in the fund. Nothing contained herein shall prevent the department of financial services from receiving grants, gifts or bequests for the purposes of the fund as defined in this section and depositing them into the fund according to law.

3. Monies of the fund, when allocated, shall be available for all costs of supplying kidney donors with health insurance under section forty-three hundred eleven of the public health law.

§ 3. This act shall take effect immediately and shall apply to all live donor kidney donations made on or after such effective date.