STATE OF NEW YORK

1342

2023-2024 Regular Sessions

IN SENATE

January 11, 2023

Introduced by Sen. CLEARE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the social services law, in relation to limiting availability and coverage for non-invasive prenatal testing for medicaid patients based on age if such limits are recommended by the United States food and drug administration, the centers for Medicare and medicaid services, or the United States department of health and human services

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

Section 1. Paragraph (b) of subdivision 1 of section 365-k of the social services law, as added by a chapter of the laws of 2022, amending the social services law relating to increasing access to non-invasive prenatal testing under medicaid, as proposed in legislative bills numbers S. 8157 and A. 8604, is amended to read as follows:

(b) The standards and guidelines established under this section for providing non-invasive prenatal testing shall not limit availability and coverage for a test based on the age of the pregnant patient, unless the limit is explicitly called for by the generally accepted standards of professional practice **or is otherwise recommended by safety communications or guidance issued by the United States food and drug administration, the centers for Medicare and medicaid services, or the United States department of health and human services**.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2022, amending the social services law relating to increasing access to non-invasive prenatal testing under medicaid, as proposed in legislative bills numbers S. 8157 and A. 8604, takes effect.

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

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