

# STATE OF NEW YORK

200

2023-2024 Regular Sessions

## IN SENATE

(Prefiled)

January 4, 2023

Introduced by Sen. CLEARE -- read twice and ordered printed, and when printed to be committed to the Committee on Women's Issues

AN ACT to amend the insurance law, in relation to coverage of primary and preventative obstetric and gynecological care

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

1 Section 1. Subparagraph (C) of paragraph 14 of subsection (l) of  
2 section 3221 of the insurance law, as amended by chapter 219 of the laws  
3 of 2011, is amended to read as follows:

4 (C) Such coverage required pursuant to subparagraph (A) or (B) of this  
5 paragraph [~~may~~] shall not be subject to annual deductibles and coinsu-  
6 rance [~~as may be deemed appropriate by the superintendent and as are~~  
7 ~~consistent with those established for other benefits within a given~~  
8 ~~policy~~].

9 § 2. Paragraph 1 of subsection (t) of section 4303 of the insurance  
10 law, as amended by chapter 219 of the laws of 2011, is amended to read  
11 as follows:

12 (1) A medical expense indemnity corporation, a hospital service corpo-  
13 ration or a health service corporation that provides coverage for hospi-  
14 tal, surgical, or medical care shall provide coverage for an annual  
15 cervical cytology screening for cervical cancer and its precursor states  
16 for women aged eighteen and older. Such coverage required by this para-  
17 graph [~~may~~] shall not be subject to annual deductibles and coinsurance  
18 [~~as may be deemed appropriate by the superintendent and as are consist-~~  
19 ~~ent with those established for other benefits within a given contract~~].

20 § 3. The opening paragraph of paragraph 13 of subsection (k) of  
21 section 3221 of the insurance law, as amended by chapter 219 of the laws  
22 of 2011, is amended to read as follows:

23 Every group or blanket policy delivered or issued for delivery in this  
24 state that provides major medical or similar comprehensive-type coverage

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

LBD02058-01-3

1 shall provide such coverage for bone mineral density measurements or  
2 tests, and if such contract otherwise includes coverage for prescription  
3 drugs, drugs and devices approved by the federal food and drug adminis-  
4 tration or generic equivalents as approved substitutes. In determining  
5 appropriate coverage provided by subparagraphs (A), (B) and (C) of this  
6 paragraph, the insurer or health maintenance organization shall adopt  
7 standards that include the criteria of the federal Medicare program and  
8 the criteria of the national institutes of health for the detection and  
9 treatment of osteoporosis, provided that such coverage shall be further  
10 determined as follows:

11 § 4. The opening paragraph of subsection (bb) of section 4303 of the  
12 insurance law, as amended by chapter 219 of the laws of 2011, is amended  
13 to read as follows:

14 A health service corporation or a medical service expense indemnity  
15 corporation that provides major medical or similar comprehensive-type  
16 coverage shall provide such coverage for bone mineral density measure-  
17 ments or tests, and if such contract otherwise includes coverage for  
18 prescription drugs, drugs and devices approved by the federal food and  
19 drug administration or generic equivalents as approved substitutes. In  
20 determining appropriate coverage provided by paragraphs one, two and  
21 three of this subsection, the insurer or health maintenance organization  
22 shall adopt standards that include the criteria of the federal Medicare  
23 program and the criteria of the national institutes of health for the  
24 detection and treatment of osteoporosis, provided that such coverage  
25 shall be further determined as follows:

26 § 5. The second undesignated paragraph of paragraph 26 of subsection  
27 (b) of section 4322 of the insurance law, as amended by chapter 219 of  
28 the laws of 2011, is amended to read as follows:

29 In determining appropriate coverage provided by subparagraphs (A), (B)  
30 and (C) of this paragraph, the insurer or health maintenance organiza-  
31 tion shall adopt standards that include the criteria of the federal  
32 Medicare program and the criteria of the national institutes of health  
33 for the detection and treatment of osteoporosis, provided that such  
34 coverage shall be further determined as follows:

35 § 6. This act shall take effect on the sixtieth day after it shall  
36 have become a law and shall apply to all policies issued, renewed, modi-  
37 fied or altered on or after such date.