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:

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

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

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

(1) A medical expense indemnity corporation, a hospital service corporation or a health service corporation that provides coverage for hospital, surgical, or medical care shall provide coverage for an annual cervical cytology screening for cervical cancer and its precursor states for women aged eighteen and older. Such coverage required by this paragraph [~~may~~] **shall not** be subject to annual deductibles and coinsurance [~~as may be deemed appropriate by the superintendent and as are consistent with those established for other benefits within a given contract~~].

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

Every group or blanket policy delivered or issued for delivery in this 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.

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

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

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

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

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

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