

STATE OF NEW YORK

380

2023-2024 Regular Sessions

IN SENATE

(Prefiled)

January 4, 2023

Introduced by Sens. CLEARE, BROUK -- 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 requiring health insurance policies to include coverage for doula services as required coverage for maternity care

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

1 Section 1. Item (i) of subparagraph (A) of paragraph 10 of subsection
2 (i) of section 3216 of the insurance law, as amended by chapter 238 of
3 the laws of 2010, is amended to read as follows:

4 (i) Every policy which provides hospital, surgical or medical coverage
5 shall provide coverage for maternity care, including hospital, surgical
6 or medical care to the same extent that hospital, surgical or medical
7 coverage is provided for illness or disease under the policy. Such
8 maternity care coverage, other than coverage for perinatal compli-
9 cations, shall include inpatient hospital coverage for mother and for
10 newborn for at least forty-eight hours after childbirth for any delivery
11 other than a caesarean section, and for at least ninety-six hours after
12 a caesarean section. Such coverage for maternity care shall include the
13 services of a doula and the services of a midwife licensed pursuant to
14 article one hundred forty of the education law, practicing consistent
15 with section sixty-nine hundred fifty-one of the education law and
16 affiliated or practicing in conjunction with a facility licensed pursu-
17 ant to article twenty-eight of the public health law, but no insurer
18 shall be required to pay for duplicative routine services actually
19 provided by both a licensed midwife and a physician.

20 § 2. Item (i) of subparagraph (A) of paragraph 5 of subsection (k) of
21 section 3221 of the insurance law, as amended by chapter 238 of the laws
22 of 2010, is amended to read as follows:

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

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1 (i) Every group or blanket policy delivered or issued for delivery in
2 this state which provides hospital, surgical or medical coverage shall
3 include coverage for maternity care, including hospital, surgical or
4 medical care to the same extent that coverage is provided for illness or
5 disease under the policy. Such maternity care coverage, other than
6 coverage for perinatal complications, shall include inpatient hospital
7 coverage for mother and newborn for at least forty-eight hours after
8 childbirth for any delivery other than a caesarean section, and for at
9 least ninety-six hours after a caesarean section. Such coverage for
10 maternity care shall include the services of a doula and the services of
11 a midwife licensed pursuant to article one hundred forty of the educa-
12 tion law, practicing consistent with section sixty-nine hundred fifty-
13 one of the education law and affiliated or practicing in conjunction
14 with a facility licensed pursuant to article twenty-eight of the public
15 health law, but no insurer shall be required to pay for duplicative
16 routine services actually provided by both a licensed midwife and a
17 physician.

18 § 3. Subparagraph (A) of paragraph 1 of subsection (c) of section 4303
19 of the insurance law, as amended by chapter 238 of the laws of 2010, is
20 amended to read as follows:

21 (A) Every contract issued by a corporation subject to the provisions
22 of this article which provides hospital service, medical expense indem-
23 nity or both shall provide coverage for maternity care including hospi-
24 tal, surgical or medical care to the same extent that hospital service,
25 medical expense indemnity or both are provided for illness or disease
26 under the contract. Such maternity care coverage, other than coverage
27 for perinatal complications, shall include inpatient hospital coverage
28 for mother and for newborn for at least forty-eight hours after child-
29 birth for any delivery other than a caesarean section, and for at least
30 ninety-six hours following a caesarean section. Such coverage for mater-
31 nity care shall include the services of a doula and the services of a
32 midwife licensed pursuant to article one hundred forty of the education
33 law, practicing consistent with section sixty-nine hundred fifty-one of
34 the education law and affiliated or practicing in conjunction with a
35 facility licensed pursuant to article twenty-eight of the public health
36 law, but no insurer shall be required to pay for duplicative routine
37 services actually provided by both a licensed midwife and a physician.

38 § 4. This act shall take effect on the one hundred eightieth day after
39 it shall have become a law and shall apply to all policies and contracts
40 issued, renewed, modified, altered or amended on or after such date.
41 Effective immediately the addition, amendment or repeal of any rule or
42 regulation necessary for the implementation of this act on its effective
43 date are authorized to be made and completed on or before such date.