

# STATE OF NEW YORK

7921

## IN SENATE

January 3, 2024

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

AN ACT to amend the insurance law, in relation to coverage of certain procedures to detect breast cancer

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

1 Section 1. Subparagraph (A) of paragraph 11 of subsection (l) of  
2 section 3221 of the insurance law, as amended by chapter 143 of the laws  
3 of 2019, is amended to read as follows:

4 (A) Every insurer delivering a group or blanket policy or issuing a  
5 group or blanket policy for delivery in this state that provides cover-  
6 age for hospital, surgical or medical care shall provide the following  
7 coverage for mammography screening for occult breast cancer:

8 (i) upon the recommendation of a physician, a mammogram, which may be  
9 provided by breast tomosynthesis, at any age for covered persons having  
10 a prior history of breast cancer or who have a first degree relative  
11 with a prior history of breast cancer;

12 (ii) a single baseline mammogram, which may be provided by breast  
13 tomosynthesis, for covered persons aged thirty-five through thirty-nine,  
14 inclusive;

15 (iii) an annual mammogram, which may be provided by breast tomosynthe-  
16 sis, for covered persons aged forty and older; and

17 (iv) for large group policies that provide coverage for hospital,  
18 surgical or medical care, an annual mammogram for covered persons aged  
19 [~~thirty-five~~] thirty through thirty-nine, inclusive, or any sonogram or  
20 other diagnostic procedure used to detect breast cancer, upon the recom-  
21 mendation of a physician, subject to the insurer's determination that  
22 the mammogram is medically necessary.

23 § 2. Subparagraph (D) of paragraph 1 of subsection (p) of section 4303  
24 of the insurance law, as amended by chapter 143 of the laws of 2019, is  
25 amended to read as follows:

26 (D) for large group contracts offered by a medical expense indemnity  
27 corporation, a hospital service corporation or a health service corpo-  
28 ration that provide coverage for hospital, surgical or medical care, an

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

LBD11825-02-3

1 annual mammogram for covered persons aged [~~thirty-five~~ thirty through  
2 thirty-nine, inclusive, or any sonogram or other diagnostic procedure  
3 used to detect breast cancer, upon the recommendation of a physician,  
4 subject to the corporation's determination that the mammogram is  
5 medically necessary; and  
6 § 3. This act shall take effect on the thirtieth day after it shall  
7 have become a law, and shall apply to policies and contracts issued,  
8 renewed, modified, altered or amended on or after such effective date.