

# STATE OF NEW YORK

10757

## IN ASSEMBLY

March 30, 2026

Introduced by M. of A. TAPIA -- read once and referred to the Committee on Insurance

AN ACT to amend the general business law, the insurance law and the public health law, in relation to collection of social security account numbers for registration with the New York state donate life registry

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

1 Section 1. Paragraph (i) of subdivision 3 of section 399-ddd of the  
2 general business law, as added by chapter 372 of the laws of 2012, is  
3 amended to read as follows:

4 (i) The social security account number is requested for the purpose  
5 of:

- 6 i. the collection of child or spousal support;
- 7 ii. determining whether an individual has a criminal record; [~~ex~~]
- 8 iii. blood donation; or
- 9 iv. organ donation and purposes consistent with section forty-three  
10 hundred ten of the public health law.

11 § 2. Subdivision 3 of section 399-ddd of the general business law, as  
12 amended by chapter 371 of the laws of 2012, is amended to read as  
13 follows:

14 3. This section does not prevent the collection, use, or release of a  
15 social security account number as required by state or federal law, the  
16 use of a social security account number for internal verification, for  
17 purposes consistent with section forty-three hundred ten of the public  
18 health law or section thirty-one hundred fourteen of the insurance law,  
19 fraud investigation or administrative purposes or for any business func-  
20 tion specifically authorized by 15 U.S.C. 6802.

21 § 3. The insurance law is amended by adding a new section 3114 to read  
22 as follows:

23 § 3114. Data facilitation for anatomical gift registration. (a) Defi-  
24 nitions. For the purposes of this section, the following terms shall  
25 have the following meanings:

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

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1 (1) "New York state donate life registry" means the donate life regis-  
2 try established under section forty-three hundred ten of the public  
3 health law.

4 (2) "Social security account number" shall have the same meaning as  
5 described in section three hundred ninety-nine-ddd of the general busi-  
6 ness law, as added by chapter three hundred seventy-two of the laws of  
7 two thousand twelve.

8 (3) "Affirmative election" means an election to make an anatomical  
9 gift in the New York state donate life registry under article forty-  
10 three of the public health law.

11 (b) Authority to collect. Any authorized insurer, or any producer or  
12 other entity acting on behalf of such insurer, shall upon an individ-  
13 ual's affirmative election or direction from the department, request and  
14 collect such individual's social security account number solely for the  
15 purpose of facilitating such affirmative election.

16 (c) Duty to disclose. Pursuant to an affirmative election, an insurer  
17 shall transmit all necessary information, including the social security  
18 account number of the individual making such affirmative election, to  
19 the department of health for the sole purpose of effectuating, verify-  
20 ing, or amending such individual's donor registration status in the New  
21 York state donate life registry.

22 (d) Prohibited uses. Information collected under this section shall  
23 not be used for underwriting, rating, eligibility determinations,  
24 marketing, claims handling, or any other purpose unrelated to the New  
25 York state donate life registry.

26 (e) Safeguards. Information collected for the purposes of this section  
27 shall be handled and transmitted in accordance with all applicable state  
28 and federal laws governing such information.

29 § 4. Section 3217-a of the insurance law is amended by adding a new  
30 subsection (h) to read as follows:

31 (h) Any insurer delivering or issuing policies for delivery in this  
32 state that provide major medical or similar comprehensive-type coverage  
33 under this article shall be subject to the provisions of section thir-  
34 ty-one hundred fourteen of this chapter.

35 § 5. Section 4324 of the insurance law is amended by adding a new  
36 subsection (h) to read as follows:

37 (h) Any corporation delivering or issuing contracts for delivery in  
38 this state that provide major medical or similar comprehensive-type  
39 coverage under this article shall be subject to the provisions of  
40 section thirty-one hundred fourteen of this chapter.

41 § 6. Subdivision 8 of section 4408 of the public health law, as  
42 amended by chapter 418 of the laws of 2025, is renumbered subdivision 9.

43 § 7. Subdivision 9 of section 4408 of the public health law, as  
44 amended by chapter 418 of the laws of 2025 and as renumbered by section  
45 six of this act, is amended to read as follows:

46 9. (a) Every contract delivered or issued for delivery in this state  
47 which provides major medical or similar comprehensive-type coverage  
48 shall provide space on any enrollment, renewal or initial online portal  
49 process setup forms required of a subscriber or applicant for coverage,  
50 excepting forms issued by the NY State of Health, the official Health  
51 Plan Marketplace, other than those specifically referenced in subpara-  
52 graph (iv) of paragraph (a) of subdivision five of section forty-three  
53 hundred ten and paragraph (v) of subdivision one of section two hundred  
54 six of this chapter, so that the subscriber or applicant for coverage  
55 shall register or decline registration in the donate life registry for  
56 organ, eye and tissue donations under this section of the enrollment or

1 renewal form and that the following is stated on the form in clear and  
2 conspicuous type:

3 "You must fill out the following section: Would you like to be added  
4 to the Donate Life Registry? Check box for 'yes' or 'skip this ques-  
5 tion'."

6 (b) Every insurer or corporation issuing or delivering contracts as  
7 described under paragraph (a) of this subdivision shall be subject to  
8 the provisions of section thirty-one hundred fourteen of the insurance  
9 law.

10 § 8. This act shall take effect immediately.