STATE OF NEW YORK

1360

2025-2026 Regular Sessions

IN ASSEMBLY

January 9, 2025
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Introduced by M. of A. DINOWITZ -- read once and referred to the Commit-
  tee on Health

AN ACT to amend the public health law, in relation to expanding health
  care plan contract coverage for any health care provider for one
  hundred twenty days after the termination of such contract

   **The People of the State of New York, represented in Senate and Assem-
   bly, do enact as follows:**

 1   Section 1. Subdivision 5-d of section 4406-c of the public health law,
 2 as added by chapter 451 of the laws of 2007, and as relettered by chap-
 3 ter 237 of the laws of 2009, is amended to read as follows:
 4   5-d. If a contract between a plan and [~~a hospital~~] **any health care**
 5 **provider** is not renewed or is terminated by either party, the parties
 6 shall continue to abide by the terms of such contract, including
 7 reimbursement terms, for a period of [~~two months~~] **one hundred twenty**
 8 **days** from the effective date of termination or, in the case of a non-re-
 9 newal, from the end of the contract period. Notice shall be provided to
10 all enrollees potentially affected by such termination or non-renewal
11 within fifteen days after commencement of the [~~two months~~] **one hundred**
12 **twenty day** period. The commissioner shall have the authority to waive
13 the [~~two months~~] **one hundred twenty day** period upon the request of
14 either party to a contract that is being terminated for cause. This
15 subdivision shall not apply where both parties mutually agree in writing
16 to the termination or non-renewal and the plan provides notice to the
17 enrollee at least thirty days in advance of the date of contract termi-
18 nation.
19   § 2. This act shall take effect immediately; provided, however that
20 the amendments to subdivision 5-d of section 4406-c of the public
21 health law made by section one of this act shall not affect the repeal
22 of such subdivision and shall be deemed repealed therewith.

     EXPLANATION--Matter in **_italics_** (underscored) is new; matter in brackets
                    [~~-~~] is old law to be omitted.
                                                          LBD03257-01-5