

STATE OF NEW YORK

21

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. MAGNARELLI, JONES, COOK, COLTON, SIMON, BARRETT,
DE LOS SANTOS, RAGA, BURDICK, EACHUS -- read once and referred to the
Committee on Insurance

AN ACT to amend the insurance law, in relation to coverage for children
for services related to the diagnosis and treatment of mental, nervous
or emotional disorders or ailments

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

1 Section 1. Subsection (i) of section 3216 of the insurance law is
2 amended by adding a new paragraph 40 to read as follows:

3 (40) (A) Every policy that provides medical, major medical or similar
4 comprehensive-type coverage, shall provide coverage for children for
5 services related to the diagnosis and treatment of mental, nervous or
6 emotional disorders or ailments, including but not limited to biologi-
7 cally based mental illnesses and children with serious emotional
8 disturbances, in a psychiatric center under the jurisdiction of the
9 office of mental health or other psychiatric in-patient facility in the
10 department, and a psychiatric in-patient facility maintained by a poli-
11 tical subdivision of the state for the care or treatment of the mentally
12 ill. Coverage required under this paragraph must be at least equal to
13 coverage provided in such policy for the diagnosis and treatment of
14 mental, nervous or emotional disorders or ailments with no additional
15 cost sharing.

16 (B) For the purposes of this paragraph, the term "children" shall mean
17 any person under the age of eighteen years.

18 § 2. Subsection (1) of section 3221 of the insurance law is amended by
19 adding a new paragraph 5-a to read as follows:

20 (5-a) (A) Every policy that provides medical, major medical or similar
21 comprehensive-type coverage, shall provide coverage for children for
22 services related to the diagnosis and treatment of mental, nervous or

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

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1 emotional disorders or ailments, including but not limited to biologi-
 2 cally based mental illnesses and children with serious emotional
 3 disturbances, in a psychiatric center under the jurisdiction of the
 4 office of mental health or other psychiatric in-patient facility in the
 5 department, and a psychiatric in-patient facility maintained by a poli-
 6 tical subdivision of the state for the care or treatment of the mentally
 7 ill. Coverage required under this paragraph must be at least equal to
 8 coverage provided in such policy for the diagnosis and treatment of
 9 mental, nervous or emotional disorders or ailments with no additional
 10 cost sharing.

11 (B) For the purposes of this paragraph, the term "children" shall mean
 12 any person under the age of eighteen years.

13 § 3. Section 4303 of the insurance law is amended by adding a new
 14 subsection (g-1) to read as follows:

15 (g-1) (1) Every contract that provides medical, major medical or simi-
 16 lar comprehensive-type coverage, shall provide coverage for children for
 17 services related to the diagnosis and treatment of mental, nervous or
 18 emotional disorders or ailments, including but not limited to biologi-
 19 cally based mental illnesses and children with serious emotional
 20 disturbances, in a psychiatric center under the jurisdiction of the
 21 office of mental health or other psychiatric in-patient facility in the
 22 department, and a psychiatric in-patient facility maintained by a poli-
 23 tical subdivision of the state for the care or treatment of the mentally
 24 ill. Coverage required under this paragraph must be at least equal to
 25 coverage provided in such policy for the diagnosis and treatment of
 26 mental, nervous or emotional disorders or ailments with no additional
 27 cost sharing.

28 (2) For the purposes of this subsection, the term "children" shall
 29 mean any person under the age of eighteen years.

30 § 4. This act shall take effect immediately and shall apply to any
 31 policy issued, delivered, renewed, and/or modified on or after the
 32 effective date of this act.