STATE OF NEW YORK

5367

2025-2026 Regular Sessions

IN ASSEMBLY

February 13, 2025

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

AN ACT to amend the insurance law, in relation to high deductible health plans and health savings accounts

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

Section 1. Subsection (e) of section 1124 of the insurance law, as added by section 440 of the laws of 2012, is relettered subsection (f) and a new subsection (e) is added to read as follows:

(e) With respect to high deductible health plans offered in conjunction with a health reimbursement account or a health savings account authorized by this section, if application of any cost sharing requirements would result in health savings account ineligibility under section two hundred twenty-three of the internal revenue code, such cost sharing requirement shall apply for health savings account-qualified high deductible health plans with respect to the deductible of such a plan, only after the enrollee has satisfied the minimum deductible under section two hundred twenty-three of the internal revenue code, except with respect to items or services that are considered preventive care pursuant to subparagraph (C) of paragraph two of subsection c of section two hundred twenty-three of the internal revenue code, in which case the requirements of this subsection shall apply regardless of whether the minimum deductible required under section two hundred twenty-three of the internal revenue code has been satisfied.

§ 2. This act shall take effect immediately; provided, however, that the amendments to subsection (e) of section 1124 of the insurance law, made by section one of this act, shall not affect the repeal of such section and shall be deemed repealed therewith.

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

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