STATE OF NEW YORK

6561

2025-2026 Regular Sessions

IN ASSEMBLY

March 6, 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 including image-guided biopsies under certain insurance coverage for breast cancer screening and providing for mandatory health insurance coverage for lung cancer screening

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

Section 1. Item (iv) of subparagraph (A) of paragraph 11 of subsection (i) of section 3216 of the insurance law, as amended by chapter 424 of the laws of 2024, is amended to read as follows:

(iv) upon the recommendation of a physician, screening and diagnostic imaging, including diagnostic mammograms, breast ultrasounds, ***image-guided breast biopsies,*** or magnetic resonance imaging, recommended by nationally recognized clinical practice guidelines for the detection of breast cancer. For the purposes of this item, "nationally recognized clinical practice guidelines" means evidence-based clinical practice guidelines informed by a systematic review of evidence and an assessment of the benefits, and risks of alternative care options intended to optimize patient care developed by independent organizations or medical professional societies utilizing a transparent methodology and reporting structure and with a conflict of interest policy.

§ 2. Item (v) of subparagraph (A) of paragraph 11 of subsection (l) of section 3221 of the insurance law, as amended by chapter 424 of the laws of 2024, is amended to read as follows:

(v) upon the recommendation of a physician, screening and diagnostic imaging, including diagnostic mammograms, breast ultrasounds, ***image-guided breast biopsies,*** or magnetic resonance imaging, recommended by nationally recognized clinical practice guidelines for the detection of breast cancer. For the purposes of this item, "nationally recognized clinical practice guidelines" means evidence-based clinical practice

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

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guidelines informed by a systematic review of evidence and an assessment of the benefits, and risks of alternative care options intended to optimize patient care developed by independent organizations or medical professional societies utilizing a transparent methodology and reporting structure and with a conflict of interest policy.

§ 3. Subparagraph (E) of paragraph 1 of subsection (p) of section 4303 of the insurance law, as amended by chapter 424 of the laws of 2024, is amended to read as follows:

(E) upon the recommendation of a physician, screening and diagnostic imaging, including diagnostic mammograms, breast ultrasounds, **image-guided breast biopsies,** or magnetic resonance imaging, recommended by nationally recognized clinical practice guidelines for the detection of breast cancer. For the purposes of this subparagraph, "nationally recognized clinical practice guidelines" means evidence-based clinical practice guidelines informed by a systematic review of evidence and an assessment of the benefits, and risks of alternative care options intended to optimize patient care developed by independent organizations or medical professional societies utilizing a transparent methodology and reporting structure and with a conflict of interest policy; and

§ 4. Subsection (i) of section 3216 of the insurance law is amended by adding a new paragraph 41 to read as follows:

(41) (A) Every policy which provides medical, major medical, or similar comprehensive-type coverage shall provide coverage for lung cancer screening or follow-up diagnostic imaging to assist in the diagnosis of lung cancer when recommended by a health care provider acting within the provider's scope of practice pursuant to title eight of the education law.

(B) Notwithstanding any other provision of law, any policy that provides coverage required by this paragraph shall not impose a copayment, coinsurance, or deductible requirement for lung cancer screening or follow-up diagnostic imaging to assist in the diagnosis of lung cancer and shall not require prior authorization for such coverage.

§ 5. Subsection (l) of section 3221 of the insurance law is amended by adding a new paragraph 23 to read as follows:

(23) (A) Every policy which provides medical, major medical, or similar comprehensive-type coverage shall provide coverage for lung cancer screening or follow-up diagnostic imaging to assist in the diagnosis of lung cancer when recommended by a health care provider acting within the provider's scope of practice pursuant to title eight of the education law.

(B) Notwithstanding any other provision of law, any policy that provides coverage required by this paragraph shall not impose a copayment, coinsurance, or deductible requirement for lung cancer screening or follow-up diagnostic imaging to assist in the diagnosis of lung cancer and shall not require prior authorization for such coverage.

§ 6. Section 4303 of the insurance law is amended by adding a new subsection (ww) to read as follows:

(ww) (1) Every policy which provides medical, major medical, or similar comprehensive-type coverage shall provide coverage for lung cancer screening or follow-up diagnostic imaging to assist in the diagnosis of lung cancer when recommended by a health care provider acting within the provider's scope of practice pursuant to title eight of the education law.

(2) Notwithstanding any other provision of law, any policy that provides coverage required by this subsection shall not impose a copayment, coinsurance, or deductible requirement for lung cancer screening

or follow-up diagnostic imaging to assist in the diagnosis of lung cancer and shall not require prior authorization for such coverage.

§ 7. This act shall take effect January 1, 2026 and shall apply to all policies and contracts issued, renewed, modified, altered or amended on or after such date; provided, however, that if chapter 424 of the laws of 2024 shall not have taken effect on or before such date then sections one, two and three of this act shall take effect on the same date and in the same manner as such chapter of the laws of 2024 takes effect.