

STATE OF NEW YORK

812

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

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

AN ACT to amend the insurance law, in relation to requiring certain types of insurance cover certain allergen introduction dietary supplements

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

Section 1. Paragraph 17 of subsection (i) of section 3216 of the insurance law is amended by adding a new subparagraph (G) to read as follows:

(G) In addition to subparagraph (A), (B), (C), (D), (E), or (F) of this paragraph, every policy that provides medical, major medical, or similar comprehensive-type coverage that provides coverage for the provision of preventative and primary care services shall provide coverage for at least one early egg allergen introduction dietary supplement and at least one early peanut allergen introduction dietary supplement. For the purposes of this subparagraph, the following terms shall have the following meanings:

(i) "early egg allergen introduction dietary supplement" means a dietary supplement as defined in Federal Food, Drug, and Cosmetic Act, 21 U.S.C.S. § 321 that contains sufficient infant-safe, well-cooked egg protein to reduce the risk of food allergies and is prescribed to an infant by a health care practitioner licensed, certified, or authorized under title eight of the education law, and acting within their lawful scope of practice.

(ii) "early peanut allergen introduction dietary supplement" means a dietary supplement as defined in Federal Food, Drug, and Cosmetic Act, 21 U.S.C.S. § 321 that contains sufficient infant-safe peanut protein to reduce the risk of food allergies and is prescribed to an infant by a health care practitioner licensed, certified, or authorized under title

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

LBD00860-01-5

1 eight of the education law, and acting within their lawful scope of
2 practice.

3 § 2. Paragraph 8 of subsection (l) of section 3221 of the insurance
4 law is amended by adding a new subparagraph (H) to read as follows:

5 (H) In addition to subparagraph (A), (B), (C), (D), (E), (F), or (G)
6 of this paragraph, every group policy that provides medical, major
7 medical, or similar comprehensive-type coverage that provides coverage
8 for the provision of preventative and primary care services shall
9 provide coverage for at least one early egg allergen introduction
10 dietary supplement and at least one early peanut allergen introduction
11 dietary supplement. For the purposes of this subparagraph the following
12 terms have the following meanings:

13 (i) "early egg allergen introduction dietary supplement" means a
14 dietary supplement as defined in Federal Food, Drug, and Cosmetic Act,
15 21 U.S.C.S. § 321 that contains sufficient infant-safe, well-cooked egg
16 protein to reduce the risk of food allergies and is prescribed to an
17 infant by a health care practitioner licensed, certified, or authorized
18 under title eight of the education law, and acting within their lawful
19 scope of practice.

20 (ii) "early peanut allergen introduction dietary supplement" means a
21 dietary supplement as defined in Federal Food, Drug, and Cosmetic Act,
22 21 U.S.C.S. § 321 that contains sufficient infant-safe peanut protein to
23 reduce the risk of food allergies and is prescribed to an infant by a
24 health care practitioner licensed, certified, or authorized under title
25 eight of the education law, and acting within their lawful scope of
26 practice.

27 § 3. Subsection (j) of section 4303 of the insurance law is amended by
28 adding a new paragraph 5 to read as follows:

29 (5) In addition to paragraph one, two, three or four of this
30 subsection, every policy that provides medical, major medical, or simi-
31 lar comprehensive-type coverage that provides coverage for the provision
32 of preventative and primary care services shall provide coverage for at
33 least one early egg allergen introduction dietary supplement and at
34 least one early peanut allergen introduction dietary supplement. For the
35 purposes of this subsection the following terms shall have the following
36 meaning:

37 (A) "early egg allergen introduction dietary supplement" means a
38 dietary supplement as defined in Federal Food, Drug, and Cosmetic Act,
39 21 U.S.C.S. § 321 that contains sufficient infant-safe, well-cooked egg
40 protein to reduce the risk of food allergies and is prescribed to an
41 infant by a health care practitioner licensed, certified, or authorized
42 under title eight of the education law, and acting within their lawful
43 scope of practice.

44 (B) "early peanut allergen introduction dietary supplement" means a
45 dietary supplement as defined in Federal Food, Drug, and Cosmetic Act,
46 21 U.S.C.S. § 321 that contains sufficient infant-safe peanut protein to
47 reduce the risk of food allergies and is prescribed to an infant by a
48 health care practitioner licensed, certified, or authorized under title
49 eight of the education law, and acting within their lawful scope of
50 practice.

51 § 4. This act shall take effect on the first of January next succeed-
52 ing the date on which it shall have become a law and shall apply to all
53 policies and contracts issued, renewed, modified, altered, or amended on
54 or after such date.