STATE OF NEW YORK

9270

2025-2026 Regular Sessions

IN ASSEMBLY

November 21, 2025

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

AN ACT to amend the insurance law, in relation to extending dependent child coverage for certain individuals to age twenty-nine

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

Section 1. Item (iii) of subparagraph (A) of paragraph 4 of subsection (a) of section 3216 of the insurance law, as amended by chapter 219 of the laws of 2011, is amended and a new subparagraph (iv) is added to read as follows:

(iii) Any married or unmarried child shall be considered a dependent child until attaining age twenty-six without regard to financial dependence, residency with the policyholder, student status, or employment, for a policy of hospital, medical, surgical, or prescription drug expense insurance[.]; or

(iv) Any unmarried child who is not eligible for employer-sponsored health care, not enrolled in Medicare, and who lives, works or resides in New York state or the service area of the insurer shall be considered a dependent child until attaining age twenty-nine without regard to financial dependence, residency with the policyholder, student status, or employment, for a policy of hospital, medical, surgical, or prescription drug expense insurance.

§ 2. Clause (i) of subparagraph (A) of paragraph 1 of subsection (f) of section 4235 of the insurance law, as amended by chapter 219 of the laws of 2011, is amended and a new clause (i-a) is added to read as follows:

(i) a policy of hospital, medical, surgical, or prescription drug expense insurance that provides coverage for children shall provide such coverage to a married or unmarried child until attainment of age twenty-six, without regard to financial dependence, residency with the employee or member, student status, or employment, except a policy that

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

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is a grandfathered health plan may, for plan years beginning before January first, two thousand fourteen, exclude coverage of an adult child under age twenty-six who is eligible to enroll in an employer-sponsored health plan other than a group health plan of a parent. For purposes of this [~~item~~] clause, "grandfathered health plan" means coverage provided by an insurer in which an individual was enrolled on March twenty-third, two thousand ten for as long as the coverage maintains grandfathered status in accordance with section 1251(e) of the Affordable Care Act, 42 U.S.C. § 18011(e); [~~and~~]

(i-a) a policy of hospital, medical, surgical, or prescription drug expense insurance that provides coverage for children shall provide such coverage to an unmarried child who is not eligible for employer-sponsored health care, not enrolled in Medicare, and who lives, works or resides in New York state or the service area of the insurer until attainment of age twenty-nine without regard to financial dependence, residency with the employee or member, student status, or employment; and

§ 3. Item (i) of subparagraph (A) of paragraph 1 of subsection (d) of section 4304 of the insurance law, as amended by chapter 219 of the laws of 2011, is amended to read as follows:

(i) A "family contract" may provide coverage to any child or children not over nineteen years of age, provided that an unmarried student at an accredited institution of learning may be considered a dependent until the child becomes twenty-three years of age, and provided also that the coverage of any such "family contract" may include, at the option of the corporation, any unmarried child until attaining age twenty-five. However, a "family contract" of hospital, medical, surgical, or prescription drug expense insurance that provides coverage for dependent children shall provide such coverage to a married or unmarried child until attainment of age twenty-six without regard to financial dependence, residency with the contract holder, student status, or employment. **Provided further, however, a "family contract" of hospital, medical, surgical, or prescription drug expense insurance that provides coverage for dependent children shall provide such coverage to an unmarried child who is not eligible for employer-sponsored health care, not enrolled in Medicare, and who lives, works or resides in New York state or the service area of the corporation until attainment of age twenty-nine without regard to financial dependence, residency with the contract holder, student status, or employment.**

§ 4. Item (i) of subparagraph (A) of paragraph 1 of subsection (c) of section 4305 of the insurance law, as amended by chapter 219 of the laws of 2011, is amended and a new item (i-a) is added to read as follows:

(i) a contract of hospital, medical, surgical, or prescription drug expense insurance that provides coverage for children shall provide such coverage to a married or unmarried child until attainment of age twenty-six, without regard to financial dependence, residency with the member, student status, or employment, except a contract that is a grandfathered health plan may, for plan years beginning before January first, two thousand fourteen, exclude coverage of an adult child under age twenty-six who is eligible to enroll in an employer-sponsored health plan other than a group health plan of a parent. For purposes of this item, "grandfathered health plan" means coverage provided by a corporation in which an individual was enrolled on March twenty-third, two thousand ten for as long as the coverage maintains grandfathered status in accordance with section 1251(e) of the Affordable Care Act, 42 U.S.C. § 18011(e); [~~and~~]

(i-a) a contract of hospital, medical, surgical, or prescription drug expense insurance that provides coverage for children shall provide such coverage to an unmarried child who is not eligible for employer-sponsored health care, not enrolled in Medicare, and who lives, works or resides in New York state or the service area of the corporation until attainment of age twenty-nine without regard to financial dependence, residency with the contract holder, student status, or employment; and

§ 5. This act shall take effect immediately and shall apply to all policies and contracts entered into, renewed, modified or amended on or after such effective date.