STATE OF NEW YORK

1670

2025-2026 Regular Sessions

IN SENATE

January 13, 2025

Introduced by Sen. SALAZAR -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law, in relation to requiring insurance coverage for lactation consultant services

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

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

(40) Every policy that provides coverage for hospital, surgical or medical care shall provide outpatient coverage for lactation consultant services. Coverage provided under this paragraph may be subject to annual deductibles and co-insurance as deemed appropriate by the superintendent and that are consistent with those imposed on other benefits within a given policy. For the purposes of this paragraph, "lactation consultant" shall mean an individual who holds the international board certified lactation consultant (IBCLC) credential who is in good standing with the international board of lactation consultant examiners who evaluates and manages lactation and infant feeding problems and provides preventive clinical consulting to prevent or minimize the occurrence of potential problems.

§ 2. Subsection (k) of section 3221 of the insurance law is amended by adding a new paragraph 24 to read as follows:

(24) Every group or blanket policy delivered or issued for delivery in this state that provides coverage for hospital, surgical or medical care shall provide such coverage for lactation consultant services. For the purposes of this paragraph, "lactation consultant" shall mean an individual who holds the international board certified lactation consultant (IBCLC) credential who is in good standing with the international board of lactation consultant examiners who evaluates and manages lactation and infant feeding problems and provides preventive clinical consulting to prevent or minimize the occurrence of potential problems.

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

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

(ww) A medical expense indemnity corporation, a hospital service corporation or a health service corporation that provides coverage for hospital, surgical or medical care shall provide such coverage for lactation consultant services. For the purposes of this subsection, "lactation consultant" shall mean an individual who holds the international board certified lactation consultant (IBCLC) credential who is in good standing with the international board of lactation consultant examiners who evaluates and manages lactation and infant feeding problems and provides preventive clinical consulting to prevent or minimize the occurrence of potential problems.

§ 4. This act shall take effect on the first of January next succeeding the date on which it shall have become a law and shall apply to all insurance policies, contracts and plans issued, renewed, modified, altered or amended on or after such effective date.