

# STATE OF NEW YORK

2648

2025-2026 Regular Sessions

## IN SENATE

January 22, 2025

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

AN ACT to amend the insurance law and the social services law, in relation to insurance coverage for dental night guards

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

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

3 (40) (A) Every policy which provides coverage or reimbursement for  
4 dental services shall provide coverage or reimbursement for night guards  
5 when such night guard is prescribed by a licensed dentist.

6 (B) For purposes of this paragraph, "night guard" means a protective  
7 device for the mouth that covers the teeth and gums to prevent and  
8 reduce injury to the teeth, arches, lips and gums.

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

11 (23) (A) Every policy which provides coverage or reimbursement for  
12 dental services shall provide coverage or reimbursement for night guards  
13 when such night guard is prescribed by a licensed dentist.

14 (B) For purposes of this paragraph, "night guard" means a protective  
15 device for the mouth that covers the teeth and gums to prevent and  
16 reduce injury to the teeth, arches, lips and gums.

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

19 (ww) (1) Every policy which provides coverage or reimbursement for  
20 dental services shall provide coverage or reimbursement for night guards  
21 when such night guard is prescribed by a licensed dentist.

22 (2) For purposes of this subsection, "night guard" means a protective  
23 device for the mouth that covers the teeth and gums to prevent and  
24 reduce injury to the teeth, arches, lips and gums.

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

LBD07027-01-5

1 § 4. Subdivision 2 of section 365-a of the social services law is  
2 amended by adding a new paragraph (f-1) to read as follows:

3 (f-1) dental night guards, as such term is defined in paragraph forty  
4 of section thirty-two hundred sixteen of the insurance law, when such  
5 night guard is prescribed by a licensed dentist;

6 § 5. This act shall take effect immediately and shall apply to poli-  
7 cies and contracts issued, renewed, modified, altered or amended on or  
8 after such effective date.