

STATE OF NEW YORK

3654--A

2025-2026 Regular Sessions

IN SENATE

January 29, 2025

Introduced by Sen. BAILEY -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to requiring health insurers to provide coverage for speech therapy for stuttering

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 41 to read as follows:

3 (41)(A) Every policy which provides medical, major medical, or similar
4 comprehensive-type coverage shall, upon the referral of a physician,
5 provide coverage for all costs for speech therapy for stuttering. Such
6 speech therapy shall include, but not be limited to, habilitative speech
7 therapy treatment and rehabilitative speech therapy treatment for stut-
8 tering, provided such treatment is performed by a health care profes-
9 sional licensed pursuant to title eight of the education law. No insur-
10 er shall impose upon any person receiving benefits pursuant to this
11 paragraph any durational benefit limitation or maximum for benefits,
12 services, or visits provided under this paragraph.

13 (B) Nothing in this paragraph shall be construed to prevent the
14 medical management or utilization review of the services or prevent a
15 policy from requiring that services be provided through a network of
16 participating providers.

17 (C) Coverage may be denied on the basis that such treatment is being
18 provided to the insured pursuant to an individualized family service
19 plan under section twenty-five hundred forty-five of the public health
20 law or an individualized education plan under article eighty-nine of the
21 education law. The provision of services pursuant to an individualized
22 family service plan under section twenty-five hundred forty-five of the

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

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1 public health law or an individualized education plan under article
2 eighty-nine of the education law shall not affect coverage under the
3 policy for services provided on a supplemental basis outside of an
4 educational setting if such services are provided upon the referral of a
5 physician.

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

8 (24) (A) Every group or blanket policy delivered or issued for deliv-
9 ery in this state which provides medical, major medical, or similar
10 comprehensive-type coverage shall, upon the referral of a physician,
11 provide coverage for all costs for speech therapy for stuttering. Such
12 speech therapy shall include, but not be limited to, habilitative speech
13 therapy treatment and rehabilitative speech therapy treatment for stut-
14 tering, provided such treatment is performed by a health care profes-
15 sional licensed pursuant to title eight of the education law. No insur-
16 er shall impose upon any person receiving benefits pursuant to this
17 paragraph any durational benefit limitation or maximum for benefits,
18 services, or visits provided under this paragraph.

19 (B) Nothing in this paragraph shall be construed to prevent the
20 medical management or utilization review of the services or prevent a
21 policy from requiring that services be provided through a network of
22 participating providers.

23 (C) Coverage may be denied on the basis that such treatment is being
24 provided to the insured pursuant to an individualized family service
25 plan under section twenty-five hundred forty-five of the public health
26 law or an individualized education plan under article eighty-nine of the
27 education law. The provision of services pursuant to an individualized
28 family service plan under section twenty-five hundred forty-five of the
29 public health law or an individualized education plan under article
30 eighty-nine of the education law shall not affect coverage under the
31 policy for services provided on a supplemental basis outside of an
32 educational setting if such services are provided upon the referral of a
33 physician.

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

36 (ww) (A) Every medical expense indemnity corporation, hospital service
37 corporation and health service corporation which provides medical, major
38 medical, or similar comprehensive-type coverage shall, upon referral of
39 a physician, provide coverage for all costs for speech therapy for stut-
40 tering. Such speech therapy shall include, but not be limited to, habi-
41 litative speech therapy treatment and rehabilitative speech therapy
42 treatment for stuttering, provided such treatment is performed by a
43 health care professional licensed pursuant to title eight of the educa-
44 tion law. No corporation shall impose upon any person receiving bene-
45 fits pursuant to this subsection any durational benefit limitation or
46 maximum for benefits, services, or visits provided under this
47 subsection.

48 (B) Nothing in this subsection shall be construed to prevent the
49 medical management or utilization review of the services or prevent a
50 policy from requiring that services be provided through a network of
51 participating providers.

52 (C) Coverage may be denied on the basis that such treatment is being
53 provided to the insured pursuant to an individualized family service
54 plan under section twenty-five hundred forty-five of the public health
55 law or an individualized education plan under article eighty-nine of the
56 education law. The provision of services pursuant to an individualized

1 family service plan under section twenty-five hundred forty-five of the
2 public health law or an individualized education plan under article
3 eighty-nine of the education law shall not affect coverage under the
4 policy for services provided on a supplemental basis outside of an
5 educational setting if such services are provided upon the referral of a
6 physician.

7 § 4. This act shall take effect on the first of January next succeed-
8 ing the date on which it shall have become a law and shall apply to
9 policies and contracts issued, renewed, modified, altered or amended on
10 or after such effective date. Effective immediately, the addition,
11 amendment and/or repeal of any rule or regulation necessary for the
12 implementation of this act on its effective date are authorized to be
13 made and completed on or before such effective date.