

STATE OF NEW YORK

5302

2025-2026 Regular Sessions

IN SENATE

February 20, 2025

Introduced by Sen. SCARCELLA-SPANTON -- 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 coverage for
colorectal cancer early detection beginning at age thirty-five

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

1 Section 1. Paragraph 11-b of subsection (1) of section 3221 of the
2 insurance law, as amended by chapter 78 of the laws of 2023, is amended
3 to read as follows:

4 (11-b) (A) Every large group policy delivered or issued for delivery
5 in this state which provides medical coverage that includes coverage for
6 physician services in a physician's office and every large group policy
7 which provides major medical or similar comprehensive-type coverage
8 shall provide, upon the prescription of a health care provider acting
9 within the provider's scope of practice pursuant to title eight of the
10 education law, coverage for colorectal cancer preventive screenings in
11 accordance with the American Cancer Society Guidelines for colorectal
12 cancer screening of average risk individuals, except that such coverage
13 shall be provided to all individuals beginning at age thirty-five. The
14 coverage required by this paragraph shall also include coverage for all
15 additional colorectal cancer examinations and laboratory tests recom-
16 mended in accordance with the American Cancer Society Guidelines for
17 colorectal cancer screening of average risk individuals, except that
18 such coverage shall be provided to all individuals beginning at age
19 thirty-five, including an initial colonoscopy or other medical test or
20 procedure for colorectal cancer screening and a follow-up colonoscopy
21 performed as a result of a positive result on a non-colonoscopy preven-
22 tive screening test. A large group policy shall cover colorectal cancer
23 screenings, examinations, and laboratory tests described in this para-
24 graph upon any policy issuance or renewal that occurs six months after
25 the date the guideline described in this paragraph is issued.

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

LBD07807-01-5

1 (B) An insured shall not be subject to a deductible, coinsurance, or
2 any other cost-sharing requirements for services consistent with subpar-
3 agraph (A) of this paragraph received from participating providers.

4 § 2. Subsection (uu) of section 4303 of the insurance law, as added by
5 chapter 78 of the laws of 2023, is amended to read as follows:

6 (uu) (1) Every large group contract delivered or issued for delivery
7 in this state which provides medical coverage that includes coverage for
8 physician services in a physician's office and every large group
9 contract which provides major medical or similar comprehensive-type
10 coverage shall provide, upon the prescription of a health care provider
11 acting within the provider's scope of practice pursuant to title eight
12 of the education law, coverage for colorectal cancer preventive screen-
13 ings in accordance with the American Cancer Society Guidelines for colo-
14 rectal cancer screening of average risk individuals, except that such
15 coverage shall be provided to all individuals beginning at age thirty-
16 five. The coverage required by this subsection shall also include
17 coverage for all additional colorectal cancer examinations and laborato-
18 ry tests recommended in accordance with the American Cancer Society
19 Guidelines for colorectal cancer screening of average risk individuals,
20 except that such coverage shall be provided to all individuals beginning
21 at age thirty-five, including an initial colonoscopy or other medical
22 test or procedure for colorectal cancer screening and a follow-up colo-
23 noscopy performed as a result of a positive result on a non-colonoscopy
24 preventive screening test. A large group contract shall cover colorectal
25 cancer screenings, examinations, and laboratory tests described in this
26 subsection upon any contract issuance or renewal that occurs six months
27 after the date the guideline described in this subsection is issued.

28 (2) An enrollee shall not be subject to a deductible, coinsurance, or
29 any other cost-sharing requirements for services consistent with para-
30 graph one of this subsection received from participating providers.

31 § 3. Subsection (i) of section 3216 of the insurance law is amended by
32 adding a new paragraph 11-b to read as follows:

33 (11-b) (A) Every policy delivered or issued for delivery in this state
34 which provides medical coverage that includes coverage for physician
35 services in a physician's office and every policy which provides major
36 medical or similar comprehensive-type coverage shall provide, upon the
37 prescription of a health care provider acting within the provider's
38 scope of practice pursuant to title eight of the education law, coverage
39 for colorectal cancer preventive screenings in accordance with the Amer-
40 ican Cancer Society Guidelines for colorectal cancer screening of aver-
41 age risk individuals, except that such coverage shall be provided to all
42 individuals beginning at age thirty-five. The coverage required by this
43 subsection shall also include coverage for all additional colorectal
44 cancer examinations and laboratory tests recommended in accordance with
45 the American Cancer Society Guidelines for colorectal cancer screening
46 of average risk individuals, except that such coverage shall be provided
47 to all individuals beginning at age thirty-five, including an initial
48 colonoscopy or other medical test or procedure for colorectal cancer
49 screening and a follow-up colonoscopy performed as a result of a posi-
50 tive result on a non-colonoscopy preventive screening test. A policy
51 shall cover colorectal cancer screenings, examinations, and laboratory
52 tests described in this subsection upon any policy issuance or renewal
53 that occurs six months after the date the guideline described in this
54 subsection is issued.

1 (B) An enrollee shall not be subject to a deductible, coinsurance, or
2 any other cost-sharing requirements for services consistent with subpar-
3 agraph (A) of this paragraph received from participating providers.

4 § 4. Section 339 of the insurance law, as added by chapter 78 of the
5 laws of 2023, is amended to read as follows:

6 § 339. Colorectal cancer screening notification. The superintendent
7 shall require an insurer authorized to write accident and health insur-
8 ance in this state, a corporation organized pursuant to article forty-
9 three of this chapter, and a health maintenance organization certified
10 pursuant to article forty-four of the public health law to notify
11 insureds and enrollees age thirty-five and above at least annually of
12 colorectal cancer screenings covered by such insureds' or enrollees'
13 health insurance policy or contract, and of the most recently published
14 guidelines of the American Cancer Society for colorectal cancer screen-
15 ings that are covered by such insureds' or enrollees' health insurance
16 policy or contract. The notice shall be delivered by United States
17 postal mail unless the insured or enrollee consents to another method of
18 notification, including electronic notification.

19 § 5. This act shall take effect immediately and shall apply to any
20 policy issued, delivered, renewed, and/or modified on or after the
21 effective date of this act.