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 Assembly, do enact as follows:

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

(11-b) (A) Every large group policy delivered or issued for delivery in this state which provides medical coverage that includes coverage for physician services in a physician's office and every large group policy which provides major medical or similar comprehensive-type coverage shall provide, upon the prescription of a health care provider acting within the provider's scope of practice pursuant to title eight of the education law, coverage for colorectal cancer preventive screenings in accordance with the American Cancer Society Guidelines for colorectal cancer screening of average risk individuals**, except that such coverage shall be provided to all individuals beginning at age thirty-five**. The coverage required by this paragraph shall also include coverage for all additional colorectal cancer examinations and laboratory tests recommended in accordance with the American Cancer Society Guidelines for colorectal cancer screening of average risk individuals**, except that such coverage shall be provided to all individuals beginning at age thirty-five**, including an initial colonoscopy or other medical test or procedure for colorectal cancer screening and a follow-up colonoscopy performed as a result of a positive result on a non-colonoscopy preventive screening test. A large group policy shall cover colorectal cancer screenings, examinations, and laboratory tests described in this paragraph upon any policy issuance or renewal that occurs six months after 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.

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

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

(uu) (1) Every large group contract delivered or issued for delivery in this state which provides medical coverage that includes coverage for physician services in a physician's office and every large group contract which provides major medical or similar comprehensive-type coverage shall provide, upon the prescription of a health care provider acting within the provider's scope of practice pursuant to title eight of the education law, coverage for colorectal cancer preventive screenings in accordance with the American Cancer Society Guidelines for colorectal cancer screening of average risk individuals**, except that such coverage shall be provided to all individuals beginning at age thirty-five**. The coverage required by this subsection shall also include coverage for all additional colorectal cancer examinations and laboratory tests recommended in accordance with the American Cancer Society Guidelines for colorectal cancer screening of average risk individuals**, except that such coverage shall be provided to all individuals beginning at age thirty-five**, including an initial colonoscopy or other medical test or procedure for colorectal cancer screening and a follow-up colonoscopy performed as a result of a positive result on a non-colonoscopy preventive screening test. A large group contract shall cover colorectal cancer screenings, examinations, and laboratory tests described in this subsection upon any contract issuance or renewal that occurs six months after the date the guideline described in this subsection is issued.

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

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

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

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

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

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

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