

STATE OF NEW YORK

6151

2025-2026 Regular Sessions

IN SENATE

March 5, 2025

Introduced by Sens. PARKER, ADDABBO, PALUMBO -- 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 coverage for the detection of breast cancer

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

1 Section 1. Subparagraph (A) of paragraph 11 of subsection (i) of
2 section 3216 of the insurance law, as amended by chapter 424 of the laws
3 of 2024, is amended and a new subparagraph (G) is added to read as
4 follows:

5 (A) Every policy that provides coverage for hospital, surgical or
6 medical care shall provide the following coverage for mammography
7 screening for occult breast cancer:

8 (i) upon the recommendation of a physician, a mammogram, which may be
9 provided by breast tomosynthesis, at any age for covered persons having
10 a prior history of breast cancer or who have a first degree relative
11 with a prior history of breast cancer;

12 (ii) a single baseline mammogram, which may be provided by breast
13 tomosynthesis, for covered persons aged [~~thirty-five~~] twenty-five
14 through [~~thirty-nine~~] twenty-nine, inclusive;

15 (iii) an annual mammogram, which may be provided by breast tomosynthe-
16 sis, for covered persons aged [~~forty~~] thirty and older; and

17 (iv) upon the recommendation of a physician, screening and diagnostic
18 imaging, including diagnostic mammograms, breast ultrasounds, or magnet-
19 ic resonance imaging, recommended by nationally recognized clinical
20 practice guidelines for the detection of breast cancer. For the purposes
21 of this item, "nationally recognized clinical practice guidelines" means
22 evidence-based clinical practice guidelines informed by a systematic
23 review of evidence and an assessment of the benefits, and risks of
24 alternative care options intended to optimize patient care developed by

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

LBD10609-01-5

1 independent organizations or medical professional societies utilizing a
2 transparent methodology and reporting structure and with a conflict of
3 interest policy.

4 (G) Coverage shall also be provided, upon the recommendation of a
5 physician, for follow-up diagnostic testing for the detection of breast
6 cancer, including breast biopsies, in the event that a physician deter-
7 mines that a covered person has had an abnormal mammogram. Such follow-
8 up diagnostic testing shall not be subject to annual deductibles or
9 coinsurance.

10 § 2. Subparagraph (A) of paragraph 11 of subsection (1) of section
11 3221 of the insurance law, as amended by chapter 424 of the laws of
12 2024, is amended and a new subparagraph (G) is added to read as follows:

13 (A) Every insurer delivering a group or blanket policy or issuing a
14 group or blanket policy for delivery in this state that provides cover-
15 age for hospital, surgical or medical care shall provide the following
16 coverage for mammography screening for occult breast cancer:

17 (i) upon the recommendation of a physician, a mammogram, which may be
18 provided by breast tomosynthesis, at any age for covered persons having
19 a prior history of breast cancer or who have a first degree relative
20 with a prior history of breast cancer;

21 (ii) a single baseline mammogram, which may be provided by breast
22 tomosynthesis, for covered persons aged [~~thirty-five~~] twenty-five
23 through [~~thirty-nine~~] twenty-nine, inclusive;

24 (iii) an annual mammogram, which may be provided by breast tomosynthe-
25 sis, for covered persons aged [~~forty~~] thirty and older;

26 (iv) for large group policies that provide coverage for hospital,
27 surgical or medical care, an annual mammogram for covered persons aged
28 [~~thirty-five~~] twenty-five through [~~thirty-nine~~] twenty-nine, inclusive,
29 upon the recommendation of a physician, subject to the insurer's deter-
30 mination that the mammogram is medically necessary; and

31 (v) upon the recommendation of a physician, screening and diagnostic
32 imaging, including diagnostic mammograms, breast ultrasounds, or magnet-
33 ic resonance imaging, recommended by nationally recognized clinical
34 practice guidelines for the detection of breast cancer. For the purposes
35 of this item, "nationally recognized clinical practice guidelines" means
36 evidence-based clinical practice guidelines informed by a systematic
37 review of evidence and an assessment of the benefits, and risks of
38 alternative care options intended to optimize patient care developed by
39 independent organizations or medical professional societies utilizing a
40 transparent methodology and reporting structure and with a conflict of
41 interest policy.

42 (G) Coverage shall also be provided, upon the recommendation of a
43 physician, for follow-up diagnostic testing for the detection of breast
44 cancer, including breast biopsies, in the event that a physician deter-
45 mines that a covered person has had an abnormal mammogram. Such follow-
46 up diagnostic testing shall not be subject to annual deductibles or
47 coinsurance.

48 § 3. Subparagraphs (B), (C) and (D) of paragraph 1 of subsection (p)
49 of section 4303 of the insurance law, as amended by chapter 424 of the
50 laws of 2024, are amended and a new paragraph 6 is added to read as
51 follows:

52 (B) a single baseline mammogram, which may be provided by breast tomo-
53 synthesis, for covered persons aged [~~thirty-five~~] twenty-five through
54 [~~thirty-nine~~] twenty-nine, inclusive;

55 (C) an annual mammogram, which may be provided by breast tomosynthesis,
56 for covered persons aged [~~forty~~] thirty and older;

1 (D) for large group contracts offered by a medical expense indemnity
2 corporation, a hospital service corporation or a health service corpo-
3 ration that provide coverage for hospital, surgical or medical care, an
4 annual mammogram for covered persons aged [~~thirty-five~~] twenty-five
5 through [~~thirty-nine~~] twenty-nine, inclusive, upon the recommendation of
6 a physician, subject to the corporation's determination that the mammo-
7 gram is medically necessary;

8 (6) Coverage shall also be provided, upon the recommendation of a
9 physician, for follow-up diagnostic testing for the detection of breast
10 cancer, including breast biopsies, in the event that a physician deter-
11 mines that a covered person has had an abnormal mammogram. Such follow-
12 up diagnostic testing shall not be subject to annual deductibles or
13 coinsurance.

14 § 4. This act shall take effect on the ninetieth day after it shall
15 have become a law and shall apply to all policies and contracts issued,
16 renewed, modified, altered or amended on or after such date; provided,
17 however, that if chapter 424 of the laws of 2024 shall not have taken
18 effect on or before such date then sections one, two and three of this
19 act shall take effect on the same date and in the same manner as such
20 chapter of the laws of 2024, takes effect.