STATE OF NEW YORK

7287

2025-2026 Regular Sessions

IN SENATE

April 8, 2025

Introduced by Sen. BAILEY -- 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 public health law, in relation to clarifying the provision of donate life registration to certain insured persons

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

Section 1. Paragraph 17 of subsection (a) of section 3221 of the insurance law, as amended by chapter 29 of the laws of 2023, is amended to read as follows:

(17) [~~Space shall be provided~~] **Every policy issued or delivered in this state which provides major medical or similar comprehensive-type coverage shall provide space** on any enrollment, renewal or initial online portal process setup forms required of an insured or applicant for insurance so that the insured or applicant for insurance shall register or decline registration in the donate life registry for organ, eye and tissue donations under this section of the enrollment, renewal or initial online portal process setup forms and that the following is stated on the form in clear and conspicuous type:

"You must fill out the following section: Would you like to be added to the Donate Life Registry? Check box for 'yes' or 'skip this question'."

§ 2. Paragraph 15 of subsection (c) of section 3216 of the insurance law, as added by chapter 29 of the laws of 2023, is amended to read as follows:

(15) [~~Space shall be provided~~] **Every policy issued or delivered in this state which provides major medical or similar comprehensive-type coverage shall provide space** on any enrollment, renewal or initial online portal process setup forms required of an insured or applicant for insurance, except forms issued by the NY State of Health, the official Health Plan Marketplace, other than those specifically referenced

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

LBD11440-01-5

in subparagraph (iv) of paragraph (a) of subdivision five of section four thousand three hundred ten and paragraph (v) of subdivision one of section two hundred six of the public health law, required of an insured or applicant for insurance so that the insured or applicant shall register or decline registration in the donate life registry for organ, eye and tissue donations under this section of the enrollment or renewal form and that the following is stated on the form in clear and conspicuous type:

"You must fill out the following section: Would you like to be added to the Donate Life Registry? Check box for 'yes' or 'skip this question'."

§ 3. Subsection (o) of section 4306 of the insurance law, as amended by chapter 29 of the laws of 2023, is amended to read as follows:

(o) [~~Space shall be provided~~] **Every contract issued or delivered in this state which provides major medical or similar comprehensive-type coverage shall provide space** on any enrollment, renewal or initial online portal process setup forms required of a subscriber or applicant for coverage, except forms issued by the NY State of Health, the official Health Plan Marketplace, other than those specifically referenced in subparagraph (iv) of paragraph (a) of subdivision five of section forty three hundred ten and paragraph (v) of subdivision one of section two hundred six of the public health law, so that the subscriber or applicant for coverage shall register or decline registration in the donate life registry for organ, eye and tissue donations under this section of the enrollment, renewal or initial online portal process setup forms and that the following is stated on the form in clear and conspicuous type:

"You must fill out the following section: Would you like to be added to the Donate Life Registry? Check box for 'yes' or 'skip this question'."

§ 4. Subdivision 8 of section 4408 of the public health law, as amended by chapter 29 of the laws of 2023, is amended to read as follows:

8. [~~Space shall be provided~~] **Every contract issued or delivered in this state which provides major medical or similar comprehensive-type coverage shall provide space** on any enrollment, renewal or initial online portal process setup forms required of a subscriber or applicant for coverage, excepting forms issued by the NY State of Health, the official Health Plan Marketplace, other than those specifically referenced in subparagraph (iv) of paragraph (a) of subdivision five of section forty-three hundred ten and paragraph (v) of subdivision one of section two hundred six of this chapter, so that the subscriber or applicant for coverage shall register or decline registration in the donate life registry for organ, eye and tissue donations under this section of the enrollment or renewal form and that the following is stated on the form in clear and conspicuous type:

"You must fill out the following section: Would you like to be added to the Donate Life Registry? Check box for 'yes' or 'skip this question'."

§ 5. This act shall take effect on the same date and in the same manner as chapter 758 of the laws of 2022, takes effect.