

# STATE OF NEW YORK

6561

2025-2026 Regular Sessions

## IN ASSEMBLY

March 6, 2025

Introduced by M. of A. WEPRIN -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to including image-guided biopsies under certain insurance coverage for breast cancer screening and providing for mandatory health insurance coverage for lung cancer screening

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

1 Section 1. Item (iv) of subparagraph (A) of paragraph 11 of subsection  
2 (i) of section 3216 of the insurance law, as amended by chapter 424 of  
3 the laws of 2024, is amended to read as follows:

4 (iv) upon the recommendation of a physician, screening and diagnostic  
5 imaging, including diagnostic mammograms, breast ultrasounds, image-  
6 guided breast biopsies, or magnetic resonance imaging, recommended by  
7 nationally recognized clinical practice guidelines for the detection of  
8 breast cancer. For the purposes of this item, "nationally recognized  
9 clinical practice guidelines" means evidence-based clinical practice  
10 guidelines informed by a systematic review of evidence and an assessment  
11 of the benefits, and risks of alternative care options intended to opti-  
12 mize patient care developed by independent organizations or medical  
13 professional societies utilizing a transparent methodology and reporting  
14 structure and with a conflict of interest policy.

15 § 2. Item (v) of subparagraph (A) of paragraph 11 of subsection (1) of  
16 section 3221 of the insurance law, as amended by chapter 424 of the laws  
17 of 2024, is amended to read as follows:

18 (v) upon the recommendation of a physician, screening and diagnostic  
19 imaging, including diagnostic mammograms, breast ultrasounds, image-  
20 guided breast biopsies, or magnetic resonance imaging, recommended by  
21 nationally recognized clinical practice guidelines for the detection of  
22 breast cancer. For the purposes of this item, "nationally recognized  
23 clinical practice guidelines" means evidence-based clinical practice

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

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1 guidelines informed by a systematic review of evidence and an assessment  
2 of the benefits, and risks of alternative care options intended to opti-  
3 mize patient care developed by independent organizations or medical  
4 professional societies utilizing a transparent methodology and reporting  
5 structure and with a conflict of interest policy.

6 § 3. Subparagraph (E) of paragraph 1 of subsection (p) of section 4303  
7 of the insurance law, as amended by chapter 424 of the laws of 2024, is  
8 amended to read as follows:

9 (E) upon the recommendation of a physician, screening and diagnostic  
10 imaging, including diagnostic mammograms, breast ultrasounds, image-  
11 guided breast biopsies, or magnetic resonance imaging, recommended by  
12 nationally recognized clinical practice guidelines for the detection of  
13 breast cancer. For the purposes of this subparagraph, "nationally recog-  
14 nized clinical practice guidelines" means evidence-based clinical prac-  
15 tice guidelines informed by a systematic review of evidence and an  
16 assessment of the benefits, and risks of alternative care options  
17 intended to optimize patient care developed by independent organizations  
18 or medical professional societies utilizing a transparent methodology  
19 and reporting structure and with a conflict of interest policy; and

20 § 4. Subsection (i) of section 3216 of the insurance law is amended by  
21 adding a new paragraph 41 to read as follows:

22 (41) (A) Every policy which provides medical, major medical, or simi-  
23 lar comprehensive-type coverage shall provide coverage for lung cancer  
24 screening or follow-up diagnostic imaging to assist in the diagnosis of  
25 lung cancer when recommended by a health care provider acting within the  
26 provider's scope of practice pursuant to title eight of the education  
27 law.

28 (B) Notwithstanding any other provision of law, any policy that  
29 provides coverage required by this paragraph shall not impose a copay-  
30 ment, coinsurance, or deductible requirement for lung cancer screening  
31 or follow-up diagnostic imaging to assist in the diagnosis of lung  
32 cancer and shall not require prior authorization for such coverage.

33 § 5. Subsection (1) of section 3221 of the insurance law is amended by  
34 adding a new paragraph 23 to read as follows:

35 (23) (A) Every policy which provides medical, major medical, or simi-  
36 lar comprehensive-type coverage shall provide coverage for lung cancer  
37 screening or follow-up diagnostic imaging to assist in the diagnosis of  
38 lung cancer when recommended by a health care provider acting within the  
39 provider's scope of practice pursuant to title eight of the education  
40 law.

41 (B) Notwithstanding any other provision of law, any policy that  
42 provides coverage required by this paragraph shall not impose a copay-  
43 ment, coinsurance, or deductible requirement for lung cancer screening  
44 or follow-up diagnostic imaging to assist in the diagnosis of lung  
45 cancer and shall not require prior authorization for such coverage.

46 § 6. Section 4303 of the insurance law is amended by adding a new  
47 subsection (ww) to read as follows:

48 (ww) (1) Every policy which provides medical, major medical, or simi-  
49 lar comprehensive-type coverage shall provide coverage for lung cancer  
50 screening or follow-up diagnostic imaging to assist in the diagnosis of  
51 lung cancer when recommended by a health care provider acting within the  
52 provider's scope of practice pursuant to title eight of the education  
53 law.

54 (2) Notwithstanding any other provision of law, any policy that  
55 provides coverage required by this subsection shall not impose a copay-  
56 ment, coinsurance, or deductible requirement for lung cancer screening

1 or follow-up diagnostic imaging to assist in the diagnosis of lung  
2 cancer and shall not require prior authorization for such coverage.  
3 § 7. This act shall take effect January 1, 2026 and shall apply to all  
4 policies and contracts issued, renewed, modified, altered or amended on  
5 or after such date; provided, however, that if chapter 424 of the laws  
6 of 2024 shall not have taken effect on or before such date then sections  
7 one, two and three of this act shall take effect on the same date and in  
8 the same manner as such chapter of the laws of 2024 takes effect.