

# STATE OF NEW YORK

8714--A

2025-2026 Regular Sessions

## IN ASSEMBLY

June 2, 2025

Introduced by M. of A. STECK, K. BROWN -- read once and referred to the Committee on Insurance -- recommitted to the Committee on Insurance in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to requiring the superintendent of financial services to audit certain reports submitted by insurers to ensure such insurers are in full compliance with federal and state mental health and substance use disorder parity requirements

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

1 Section 1. Subsection (a) of section 343 of the insurance law, as  
2 added by chapter 207 of the laws of 2019, is amended to read as follows:  
3 (a) (i) Beginning July first, two thousand nineteen and every two  
4 years thereafter, each insurer providing managed care products, individ-  
5 ual comprehensive accident and health insurance or group or blanket  
6 comprehensive accident and health insurance, each corporation organized  
7 pursuant to article forty-three of this chapter providing comprehensive  
8 health insurance and each entity licensed pursuant to article forty-four  
9 of the public health law providing comprehensive health service plans  
10 shall submit to the superintendent, in a form and manner prescribed by  
11 the superintendent, a report detailing the entity's compliance with  
12 federal and state mental health and substance use disorder parity laws  
13 based on the entity's record during the preceding two calendar years.  
14 The superintendent shall publish on the department's website on or  
15 before October first, two thousand nineteen, and every two years there-  
16 after, the reports submitted pursuant to this section. The superinten-  
17 dent shall also publish on the department's website a summary of these  
18 reports to assist stakeholders and the general public in reviewing,  
19 understanding and evaluating any data compiled as part of the audit  
20 process including but not limited to a summary of the data as required

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

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1 by paragraph one of subsection (b) of this section, comparison of the  
2 data provided by each insurer providing managed care products, individ-  
3 ual comprehensive accident and health insurance or group or blanket  
4 comprehensive accident and health insurance, each corporation organized  
5 pursuant to article forty-three of this chapter providing comprehensive  
6 health insurance and each entity licensed pursuant to article forty-four  
7 of the public health law providing comprehensive health service plans  
8 for each, overall ranking for each insurer, major findings, any correc-  
9 tive actions required to be taken, any fines or penalties levied as a  
10 result, and recommendations to enhance compliance with federal and state  
11 mental health and substance use disorder parity laws. The department  
12 shall provide a copy of the report to the governor, the temporary presi-  
13 dent of the senate, the speaker of the assembly, and members of the  
14 legislature.

15 (ii) The superintendent shall audit each report submitted pursuant to  
16 this section. Such audit shall include, but not be limited to, an exam-  
17 ination of each such report submitted by the insurer for the purpose of  
18 determining if such insurer is in full compliance with federal and state  
19 mental health and substance use disorder parity requirements. In addi-  
20 tion, the superintendent shall investigate all credible allegations of  
21 insurer improprieties and noncompliance. Where the superintendent makes  
22 a determination that an insurer has willfully violated federal or state  
23 mental health and substance use disorder parity requirements, the super-  
24 intendent shall provide such findings, including the reason or reasons  
25 for making such determination, to the office of the attorney general.  
26 The attorney general shall consider the superintendent's findings and,  
27 upon agreement with the superintendent's determination, shall commence  
28 an action in the name of the people of the state to enforce an insurer's  
29 required compliance with federal and state mental health and substance  
30 use disorder parity requirements.

31 § 2. This act shall take effect immediately.