

STATE OF NEW YORK

10232

IN SENATE

May 7, 2026

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law, the public health law and the social services law, in relation to not requiring prior authorization for certain cancer treatments

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

1 Section 1. Section 3217-b of the insurance law is amended by adding a
2 new subsection (p) to read as follows:

3 (p) No insurer subject to this article shall require a prior authori-
4 zation determination for cancer treatment meeting category one or cate-
5 gory two-A of the National Comprehensive Cancer Network's Categories of
6 Evidence and Consensus, provided that such insurer may require a health
7 care provider to certify that the course of treatment for the oncology
8 patient meets National Comprehensive Cancer Network Guidelines. Nothing
9 in this subsection shall prohibit an insurer from denying a claim for
10 such services if the services are subsequently determined not medically
11 necessary.

12 § 2. Section 4325 of the insurance law is amended by adding a new
13 subsection (p) to read as follows:

14 (p) No corporation organized under this article shall require a prior
15 authorization determination for cancer treatment meeting category one or
16 category two-A of the National Comprehensive Cancer Network's Categories
17 of Evidence and Consensus, provided that such corporation may require a
18 health care provider to certify that the course of treatment for the
19 oncology patient meets National Comprehensive Cancer Network Guidelines.
20 Nothing in this subsection shall prohibit a corporation from denying a
21 claim for such services if the services are subsequently determined not
22 medically necessary.

23 § 3. Section 4406-c of the public health law is amended by adding a
24 new subdivision 14 to read as follows:

25 14. No health care plan shall require a prior authorization determi-
26 nation for cancer treatment meeting category one or category two-A of
27 the National Comprehensive Cancer Network's Categories of Evidence and

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

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1 Consensus, provided that such health care plan may require a health care
2 provider to certify that the course of treatment for the oncology
3 patient meets National Comprehensive Cancer Network Guidelines. Nothing
4 in this subdivision shall prohibit a health care plan from denying a
5 claim for such services if the services are subsequently determined not
6 medically necessary.

7 § 4. Section 364-j of the social services law is amended by adding a
8 new subdivision 26-d to read as follows:

9 26-d. Managed care providers shall not require a prior authorization
10 determination for cancer treatment meeting category one or category
11 two-A of the National Comprehensive Cancer Network's Categories of
12 Evidence and Consensus, provided that the managed care plan may require
13 a health care provider to certify that the course of treatment for the
14 oncology patient meets National Comprehensive Cancer Network Guidelines.
15 Nothing in this subdivision shall prohibit a managed care plan from
16 denying a claim for such services if the services are subsequently
17 determined not medically necessary.

18 § 5. This act shall take effect on the one hundred eightieth day after
19 it shall have become a law; provided, however, that the amendments to
20 section 364-j of the social services law made by section four of this
21 act shall be subject to the expiration and repeal of such section and
22 shall expire and be deemed repealed therewith.