

STATE OF NEW YORK

1670--B

2025-2026 Regular Sessions

IN SENATE

January 13, 2025

Introduced by Sen. SALAZAR -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Insurance in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to requiring insurance coverage for lactation support services

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

1 Section 1. Paragraph 10 of subsection (i) of section 3216 of the
2 insurance law is amended by adding a new subparagraph (D) to read as
3 follows:

4 (D) (i) Coverage provided under this subparagraph shall include outpa-
5 tient coverage for comprehensive lactation support services, including
6 services provided by a lactation consultant. Such coverage may be
7 subject to annual deductibles, coinsurance, and copayments as may be
8 deemed appropriate by the superintendent and as are consistent with
9 those established for other benefits within a given policy, unless
10 comprehensive lactation support services has in effect a rating of 'A'
11 or 'B' in the current recommendations of the United States preventive
12 services task force or as provided for in comprehensive guidelines
13 supported by the health resources and services administration.

14 (ii) Nothing in this subparagraph shall be construed to prevent the
15 medical management or utilization review of the services or prevent a
16 policy from requiring that services be provided through a network of
17 participating providers.

18 (iii) For purposes of this subparagraph, "lactation consultant" means
19 a health care professional licensed under title eight of the education
20 law who holds the international board certified lactation consultant

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

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1 (IBCLC) credential and is in good standing with the international board
2 of lactation consultant examiners, who evaluates and manages lactation
3 and infant feeding problems and provides preventive clinical consulting
4 to prevent or minimize the occurrence of potential problems.

5 § 2. Paragraph 5 of subsection (k) of section 3221 of the insurance
6 law is amended by adding a new subparagraph (C) to read as follows:

7 (C) (i) Coverage provided under this subparagraph shall include outpa-
8 tient coverage for comprehensive lactation support services, including
9 services provided by a lactation consultant. Such coverage may be
10 subject to annual deductibles, coinsurance, and copayments as may be
11 deemed appropriate by the superintendent and as are consistent with
12 those established for other benefits within a given policy, unless
13 comprehensive lactation support services has in effect a rating of 'A'
14 or 'B' in the current recommendations of the United States preventive
15 services task force or as provided for in comprehensive guidelines
16 supported by the health resources and services administration.

17 (ii) Nothing in this subparagraph shall be construed to prevent the
18 medical management or utilization review of the services or prevent a
19 policy from requiring that services be provided through a network of
20 participating providers.

21 (iii) For purposes of this subparagraph, "lactation consultant" means
22 a health care professional licensed under title eight of the education
23 law who holds the international board certified lactation consultant
24 (IBCLC) credential and is in good standing with the international board
25 of lactation consultant examiners, who evaluates and manages lactation
26 and infant feeding problems and provides preventive clinical consulting
27 to prevent or minimize the occurrence of potential problems.

28 § 3. Subsection (c) of section 4303 of the insurance law is amended by
29 adding a new paragraph 3 to read as follows:

30 (3) (A) Coverage provided under this paragraph shall include outpa-
31 tient coverage for comprehensive lactation support services, including
32 services provided by a lactation consultant. Such coverage may be
33 subject to annual deductibles, coinsurance, and copayments as may be
34 deemed appropriate by the superintendent and as are consistent with
35 those established for other benefits within a given policy, unless
36 comprehensive lactation support services has in effect a rating of 'A'
37 or 'B' in the current recommendations of the United States preventive
38 services task force or as provided for in comprehensive guidelines
39 supported by the health resources and services administration.

40 (B) Nothing in this paragraph shall be construed to prevent the
41 medical management or utilization review of the services or prevent a
42 contract from requiring that services be provided through a network of
43 participating providers.

44 (C) For purposes of this paragraph, "lactation consultant" means a
45 health care professional licensed under title eight of the education law
46 who holds the international board certified lactation consultant (IBCLC)
47 credential and is in good standing with the international board of
48 lactation consultant examiners, who evaluates and manages lactation and
49 infant feeding problems and provides preventive clinical consulting to
50 prevent or minimize the occurrence of potential problems.

51 § 4. This act shall take effect on January 1, 2028 and shall apply to
52 any policy or contract issued, renewed, modified, altered or amended on
53 or after such effective date.