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:

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

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

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

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

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

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

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

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

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

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

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

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

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