

STATE OF NEW YORK

6895

2025-2026 Regular Sessions

IN SENATE

March 26, 2025

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

AN ACT to amend the insurance law, in relation to high deductible health plans and health savings accounts

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

1 Section 1. Subsection (e) of section 1124 of the insurance law, as
2 added by section 440 of the laws of 2012, is relettered subsection (f)
3 and a new subsection (e) is added to read as follows:

4 (e) With respect to high deductible health plans offered in conjunc-
5 tion with a health reimbursement account or a health savings account
6 authorized by this section, if application of any cost sharing require-
7 ments would result in health savings account ineligibility under section
8 two hundred twenty-three of the internal revenue code, such cost sharing
9 requirement shall apply for health savings account-qualified high deduc-
10 tible health plans with respect to the deductible of such a plan, only
11 after the enrollee has satisfied the minimum deductible under section
12 two hundred twenty-three of the internal revenue code, except with
13 respect to items or services that are considered preventive care pursu-
14 ant to subparagraph (C) of paragraph two of subsection c of section two
15 hundred twenty-three of the internal revenue code, in which case the
16 requirements of this subsection shall apply regardless of whether the
17 minimum deductible required under section two hundred twenty-three of
18 the internal revenue code has been satisfied.

19 § 2. This act shall take effect immediately; provided, however, that
20 the amendments to subsection (e) of section 1124 of the insurance law,
21 made by section one of this act, shall not affect the repeal of such
22 section and shall be deemed repealed therewith.

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

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