

STATE OF NEW YORK

7287

2025-2026 Regular Sessions

IN SENATE

April 8, 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 and the public health law, in relation to clarifying the provision of donate life registration to certain insured persons

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

1 Section 1. Paragraph 17 of subsection (a) of section 3221 of the
2 insurance law, as amended by chapter 29 of the laws of 2023, is amended
3 to read as follows:

4 (17) [~~Space shall be provided~~] Every policy issued or delivered in
5 this state which provides major medical or similar comprehensive-type
6 coverage shall provide space on any enrollment, renewal or initial
7 online portal process setup forms required of an insured or applicant
8 for insurance so that the insured or applicant for insurance shall
9 register or decline registration in the donate life registry for organ,
10 eye and tissue donations under this section of the enrollment, renewal
11 or initial online portal process setup forms and that the following is
12 stated on the form in clear and conspicuous type:

13 "You must fill out the following section: Would you like to be added
14 to the Donate Life Registry? Check box for 'yes' or 'skip this ques-
15 tion'."

16 § 2. Paragraph 15 of subsection (c) of section 3216 of the insurance
17 law, as added by chapter 29 of the laws of 2023, is amended to read as
18 follows:

19 (15) [~~Space shall be provided~~] Every policy issued or delivered in
20 this state which provides major medical or similar comprehensive-type
21 coverage shall provide space on any enrollment, renewal or initial
22 online portal process setup forms required of an insured or applicant
23 for insurance, except forms issued by the NY State of Health, the offi-
24 cial Health Plan Marketplace, other than those specifically referenced

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

LBD11440-01-5

1 in subparagraph (iv) of paragraph (a) of subdivision five of section
2 four thousand three hundred ten and paragraph (v) of subdivision one of
3 section two hundred six of the public health law, required of an insured
4 or applicant for insurance so that the insured or applicant shall regis-
5 ter or decline registration in the donate life registry for organ, eye
6 and tissue donations under this section of the enrollment or renewal
7 form and that the following is stated on the form in clear and conspicu-
8 ous type:

9 "You must fill out the following section: Would you like to be added
10 to the Donate Life Registry? Check box for 'yes' or 'skip this ques-
11 tion'."

12 § 3. Subsection (o) of section 4306 of the insurance law, as amended
13 by chapter 29 of the laws of 2023, is amended to read as follows:

14 (o) ~~[Space shall be provided]~~ Every contract issued or delivered in
15 this state which provides major medical or similar comprehensive-type
16 coverage shall provide space on any enrollment, renewal or initial
17 online portal process setup forms required of a subscriber or applicant
18 for coverage, except forms issued by the NY State of Health, the offi-
19 cial Health Plan Marketplace, other than those specifically referenced
20 in subparagraph (iv) of paragraph (a) of subdivision five of section
21 forty three hundred ten and paragraph (v) of subdivision one of section
22 two hundred six of the public health law, so that the subscriber or
23 applicant for coverage shall register or decline registration in the
24 donate life registry for organ, eye and tissue donations under this
25 section of the enrollment, renewal or initial online portal process
26 setup forms and that the following is stated on the form in clear and
27 conspicuous type:

28 "You must fill out the following section: Would you like to be added
29 to the Donate Life Registry? Check box for 'yes' or 'skip this ques-
30 tion'."

31 § 4. Subdivision 8 of section 4408 of the public health law, as
32 amended by chapter 29 of the laws of 2023, is amended to read as
33 follows:

34 8. ~~[Space shall be provided]~~ Every contract issued or delivered in
35 this state which provides major medical or similar comprehensive-type
36 coverage shall provide space on any enrollment, renewal or initial
37 online portal process setup forms required of a subscriber or applicant
38 for coverage, excepting forms issued by the NY State of Health, the
39 official Health Plan Marketplace, other than those specifically refer-
40 enced in subparagraph (iv) of paragraph (a) of subdivision five of
41 section forty-three hundred ten and paragraph (v) of subdivision one of
42 section two hundred six of this chapter, so that the subscriber or
43 applicant for coverage shall register or decline registration in the
44 donate life registry for organ, eye and tissue donations under this
45 section of the enrollment or renewal form and that the following is
46 stated on the form in clear and conspicuous type:

47 "You must fill out the following section: Would you like to be added
48 to the Donate Life Registry? Check box for 'yes' or 'skip this ques-
49 tion'."

50 § 5. This act shall take effect on the same date and in the same
51 manner as chapter 758 of the laws of 2022, takes effect.