STATE OF NEW YORK

8969

IN SENATE

January 21, 2026

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 requiring health insurers to provide coverage for speech therapy for stuttering

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

Section 1. Subsection (i) of section 3216 of the insurance law is amended by adding a new paragraph 42 to read as follows:

(42)(A) Every policy which provides medical, major medical, or similar comprehensive-type coverage shall, upon the referral of a physician, provide coverage for all costs for speech therapy for stuttering. Such speech therapy shall include, but not be limited to, habilitative speech therapy treatment and rehabilitative speech therapy treatment for stuttering, provided such treatment is performed by a health care professional licensed pursuant to title eight of the education law. No insurer shall impose upon any person receiving benefits pursuant to this paragraph any durational benefit limitation or maximum for benefits, services, or visits provided under this paragraph.

(B) Nothing in this paragraph 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.

(C) Coverage may be denied on the basis that such treatment is being provided to the insured pursuant to an individualized family service plan under section twenty-five hundred forty-five of the public health law or an individualized education plan under article eighty-nine of the education law. The provision of services pursuant to an individualized family service plan under section twenty-five hundred forty-five of the public health law or an individualized education plan under article eighty-nine of the education law shall not affect coverage under the policy for services provided on a supplemental basis outside of an educational setting if such services are provided upon the referral of a physician.

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

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§ 2. Subsection (k) of section 3221 of the insurance law is amended by adding a new paragraph 24 to read as follows:

(24) (A) Every group or blanket policy delivered or issued for delivery in this state which provides medical, major medical, or similar comprehensive-type coverage shall, upon the referral of a physician, provide coverage for all costs for speech therapy for stuttering. Such speech therapy shall include, but not be limited to, habilitative speech therapy treatment and rehabilitative speech therapy treatment for stuttering, provided such treatment is performed by a health care professional licensed pursuant to title eight of the education law. No insurer shall impose upon any person receiving benefits pursuant to this paragraph any durational benefit limitation or maximum for benefits, services, or visits provided under this paragraph.

(B) Nothing in this paragraph 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.

(C) Coverage may be denied on the basis that such treatment is being provided to the insured pursuant to an individualized family service plan under section twenty-five hundred forty-five of the public health law or an individualized education plan under article eighty-nine of the education law. The provision of services pursuant to an individualized family service plan under section twenty-five hundred forty-five of the public health law or an individualized education plan under article eighty-nine of the education law shall not affect coverage under the policy for services provided on a supplemental basis outside of an educational setting if such services are provided upon the referral of a physician.

§ 3. Section 4303 of the insurance law is amended by adding a new subsection (xx) to read as follows:

(xx) (A) Every medical expense indemnity corporation, hospital service corporation and health service corporation which provides medical, major medical, or similar comprehensive-type coverage shall, upon referral of a physician, provide coverage for all costs for speech therapy for stuttering. Such speech therapy shall include, but not be limited to, habilitative speech therapy treatment and rehabilitative speech therapy treatment for stuttering, provided such treatment is performed by a health care professional licensed pursuant to title eight of the education law. No corporation shall impose upon any person receiving benefits pursuant to this subsection any durational benefit limitation or maximum for benefits, services, or visits provided under this subsection.

(B) Nothing in this subsection 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.

(C) Coverage may be denied on the basis that such treatment is being provided to the insured pursuant to an individualized family service plan under section twenty-five hundred forty-five of the public health law or an individualized education plan under article eighty-nine of the education law. The provision of services pursuant to an individualized family service plan under section twenty-five hundred forty-five of the public health law or an individualized education plan under article eighty-nine of the education law shall not affect coverage under the policy for services provided on a supplemental basis outside of an

educational setting if such services are provided upon the referral of a physician.

§ 4. This act shall take effect on the first of January next succeeding the date on which it shall have become a law and shall apply to policies and contracts issued, renewed, modified, altered or amended on or after such effective date. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.