

New York State Assembly

# Annual 2024 Report

**Committee on  
Insurance**



**Speaker Carl E. Heastie**  
**David I. Weprin, Chair**



THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

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DAVID I. WEPRIN  
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CHAIR  
Assembly Insurance  
Committee

December 15, 2024

The Honorable Carl E. Heastie  
Speaker of the Assembly  
Room 932, Legislative Office Building  
Albany, New York 12248

Dear Speaker Heastie:

I hereby submit to you the 2024 Annual Report for the Committee on Insurance. I am pleased to report that the Committee had another successful session owing to the commitment of our members, diligence of its staff and the direction of your leadership. The Committee's 2024 session was defined by legislation that would expand access to essential healthcare services, bolster protections for policyholders, fortify and prepare homes for increasingly extreme weather events, and build a more resilient and prosperous insurance market in New York State.

To ensure New Yorkers have access to a full array of necessary healthcare services, the Committee reported, and the Assembly passed, legislation that would require commercial insurance coverage of scalp cooling systems used in connection with cancer chemotherapy treatment (A.38-A, Rosenthal), comprehensive neuropsychological examinations for the purpose of diagnosing dyslexia (A.2898-A, Carroll), outpatient care provided by licensed creative arts therapists (A.6173, Bronson) and epinephrine auto-injector devices for the emergency treatment of life-threatening allergic reactions (A.6425-A, O'Donnell).

This year the Committee made great progress in codifying coverage of healthcare services for women. This includes legislation that would require insurance coverage of screening and diagnostic imaging, including diagnostic mammograms, breast ultrasounds, or magnetic resonance imaging for the detection of breast cancer (A.1696-C, Hunter), coverage of prenatal vitamins (A.3865-A, Gunther), coverage of

transvaginal ultrasounds (A.6042-B Bichotte Hermelyn), coverage of tattooing of the nipple-areolar complex as a part of breast reconstruction surgery (A.5729-A, Paulin), coverage of lactation consultant services (A.3980-A, Jackson), and coverage of outpatient use of pasteurized donor human milk (A.7790-A, Solages).

In addition to its work on healthcare accessibility, The Committee made great strides in bolstering protections for policyholders in the state. The Committee reported, and the Assembly passed, legislation that would establish patient protections that health plans and utilization review agents must adhere to when creating a step therapy protocol (A.901-A, McDonald), including a rule that prevents protocols from requiring a newly insured repeat step therapy for a prescribed drug that the insured already completed step therapy for under another health plan. In addition, the Committee advanced, and the Governor signed, legislation that prohibits insurers from imposing prior authorization on drugs prescribed for the treatment or prevention HIV or AIDS (A.1619-A, Rosenthal), as well as legislation that prohibits insurers from discriminating against applicants for insurance solely because the insured or potential insured was prescribed PrEP medication for the prevention of HIV infection (A.8834-B, Weprin). Furthermore, the Committee reported legislation that would prohibit a health insurer from denying a claim of a transgender insured because the insured's gender or sex indicated on a claim form submitted to the insurer is different from the sex or gender indicated on the insured's policy forms (A.1682-B, Woerner). These bills, among others, are critical to protect New Yorkers amidst an ever-evolving insurance marketplace.

Some of the Committee's most important work revolved around developing and reporting legislation that would ready the property and casualty insurance market and homeowners for extreme weather events that will impact the state in years to come. During the Committee's 2023 public hearing, experts in the insurance industry testified that more frequent and severe extreme weather events, coupled with historically high levels of inflation, asset values and reinsurance costs have dramatically increased insurers' risk exposure. Consequently, homeowner's policies have dramatically increased in price, particularly for homeowners in areas with higher risk to flood events and hurricanes, threatening to make insurance unaffordable or outright unavailable for many New Yorkers.

To prepare homeowners for future storms and reduce insurers' risk exposure, the Committee reported legislation that would require the Department of Financial Services (DFS) to implement the homeowner natural disaster preparedness, home safety and loss prevention program authorized in the 2016 budget (A.136-A, Cruz). This program would authorize the superintendent of DFS to approve and allow insurers to offer actuarially appropriate reductions in homeowner's insurance for three years following a homeowner's successful completion of a homeowner natural disaster preparedness, home safety and loss prevention course. Such courses shall provide useful information to homeowners on courses of action that can be taken before, during and after the

occurrence of a natural disaster, strategies to reduce risk exposure to insured residential property, and information about the installation of equipment, devices or other capital improvements to real property which can help to eliminate or mitigate damage to real or personal property. In addition, the Committee reported A.9821 (Otis), which would expand eligibility for the Coastal Market Assistance Program (C-MAP) to properties located within one mile of a salt-water ocean, sound, bay, inlet, Lake Erie, Lake Ontario, the Saint Lawrence River or the Niagara River. C-MAP is a voluntary network of insurers and insurance producers that assist New York homeowners in coastal areas to find comprehensive homeowners' insurance coverage.

In preparing New Yorkers for increasingly severe weather events, a major priority of the Committee is to ensure homeowners and renters have access to innovative new insurance products to protect their properties while having robust consumer protections to ensure their policies provide coverage of included perils. To this end the Committee reported legislation authorizing the sale of parametric insurance (A.10344, Sillitti) and comprehensive business interruption insurance (A.10342, Burgos), and legislation prohibiting the use of anti-concurrent causation clauses in non-commercial real property insurance policies that provide coverage of loss or damage resulting from water or water born material that backs up through sewers or drains, or overflows or is discharged from a sump, sump pump, or related equipment. Such clauses allowed insurers to exclude such coverage on the ground that such loss or damage may have been caused directly or indirectly by an excluded peril contributing concurrently or in any sequence to cause the loss (A.10343, Weprin).

The 2024 session resulted in the development, reporting, and ultimately the passage of legislation that will improve the quality and accessibility of insurance products sold in New York State. I thank the members and staff of the Assembly Committee on Insurance for their great efforts during this past session and again thank you, Mr. Speaker, for your exceptional leadership, commitment to this legislative body and for your faith in allowing me to serve in this important capacity.

Sincerely,

A handwritten signature in black ink, appearing to read "David I. Weprin". The signature is fluid and cursive, with a large initial "D" and a stylized "W".

David I. Weprin, Chair  
New York State Assembly  
Standing Committee on Insurance

**NEW YORK STATE ASSEMBLY**  
**STANDING COMMITTEE ON INSURANCE**

David I. Weprin, Chair

▪ MEMBERS ▪

<u>Majority</u>	<u>Minority</u>
Vivian E. Cook	Kenneth D.
J. Gary Pretlow	Blankenbush,
Charles D. Lavine	<i>Ranking Minority</i>
Phillip G. Steck	<i>Member</i>
Erik M. Dilan	Stephen M. Hawley
Pamela J. Hunter	Phillip A. Palmesano
Simcha Eichenstein	Jarett Gandolfo
Samuel T. Berger	Brian Curran
Steve Stern	Josh Jensen
Jonathan G. Jacobson	Jake Blumencranz
Demond Meeks	Scott Bendett
Phara Souffrant	
Forrest	
Khaleel M. Anderson	
Catalina Cruz	
Jen Lunsford	
Alex Bores	

▪ COMMITTEE STAFF ▪

Fletcher Whyland, Assistant Secretary for Program and Policy  
Marc Thurston, Analyst  
Alejandro Avellaneda, Legislative Director  
Payton Johnson, Program and Counsel Secretary

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## ▪ 2024 - 25 Budget ▪

This year's budget negotiations provided a promising opportunity for the Legislature and Executive to reduce out of pocket prescription drug costs for New Yorkers, protect affordable housing developments from underwriting discrimination, and increase reimbursement rates for providers of mental health and substance use disorder services.

A major victory achieved in the Enacted Budget was the elimination of all deductibles, copayments, and coinsurance for prescription insulin drugs. As the percentage of New Yorkers with diabetes rises, and with 1 in 5 adults diagnosed with diabetes reportedly rationing their insulin prescriptions due to high out-of-pocket costs, this measure is crucial to ensuring the accessibility and affordability of insulin drugs for the 1.8 million New Yorkers with diabetes. This measure, effective January 1, 2025, eliminated the previous \$100 copayment cap imposed on each insulin prescription drug used by New Yorkers – a cap which was prohibitively expensive for the many New Yorkers that rely on multiple insulin drugs to survive.

Another success achieved in this year's Enacted Budget was legislation that protects affordable housing owners from underwriting discrimination by property insurers. Specifically, this budget measure prohibits real property insurers from inquiring about the level or source of a building's tenants' income, whether the building contains rent-stabilized units, or whether the owner or tenants receive government housing subsidies. In addition, insurers cannot increase premium rates, deny or non-renew coverage, or restrict coverage of residential buildings based on such information. This measure comes as some affordable housing developments in New York City have experienced double-digit premium rate increases or the nonrenewal of their insurance policies in recent years. Such rate increases threaten the ability of these housing developments to keep rents affordable and perform necessary maintenance and services for their tenants. This measure will protect these developments from dramatic and actuarially unjustifiable premium increases.

In addition, the Enacted Budget made great strides to ensure providers of mental health and substance use disorder treatment are adequately reimbursed for the indispensable services they provide. Part AA of Chapter 57 of the Laws of 2024 requires health insurers to provide at least the Medicaid Ambulatory Patient Group (APG) rate for covered services provided by in-network facilities that are licensed, certified, authorized, or operated by the Office of Addiction Services and Supports (OASAS) or the Office of Mental Health (OMH). The APG rate, the reimbursement rate paid to mental health and substance use disorder providers by Medicaid, has been reported to be on average double the rate that commercial insurers pay equivalent providers in their networks. Recognizing the significance and urgency of the behavioral health and substance use crises facing millions of New Yorkers, it is of utmost importance to the Committee that policyholders have access to the mental health and substance use

disorder services provided by OMH and OASAS facilities. To that end, it is essential that commercial insurers reimburse these providers at a fair and competitive rate that enables them to perform their critical services.

The SFY 2024-25 Budget also includes routine but crucial extensions of the Entertainment Workers Demonstration Program, which assists eligible entertainment industry employees in maintaining insurance during episodic employment, and the Physician Excess Medical Malpractice Program, which provides excess medical malpractice coverage for over 18,000 New York physicians and dentists.



## ▪HEALTH INSURANCE ▪

- A. Coverage of Scalp-Cooling Systems  
A.38-A Rosenthal / S.2063-A Stavisky  
Chapter 595 of the Laws of 2024

This bill would require commercial health insurance policies that provide coverage of cancer chemotherapy treatment to provide coverage of scalp cooling systems used in connection with cancer chemotherapy treatment, subject to annual deductibles and coinsurance.

This bill was signed by the Governor.

- B. Step Therapy Protocol Requirements  
A.901-A McDonald / S.1267-A Breslin  
Chapter 641 of the Laws of 2024

This bill would establish patient protections that health plans and utilization review agents must adhere to when creating a step therapy protocol. This includes a rule that prevents protocols from requiring a newly insured repeat step therapy for a prescribed drug that the insured already completed step therapy for under another health plan.

This bill was signed by the Governor.

- C. Prior Authorization Exemption for Antiretroviral Prescription Drugs  
A.1619-A Rosenthal / S.1001-A Hoylman-Sigal  
Chapter 152 of the Laws of 2024

This law prohibits insurers from imposing prior authorization on antiretroviral prescription drugs prescribed for the treatment or prevention of the human immunodeficiency virus (HIV) or acquired immunodeficiency syndrome (AIDS).

This bill was signed by the Governor.

- D. Coverage of Additional Breast Cancer Screenings  
A.1696-C Hunter / S.2465-C Persaud  
Chapter 424 of the Laws of 2024

This law requires commercial health insurance policies to provide coverage of screening and diagnostic imaging, including diagnostic mammograms, breast ultrasounds, or magnetic resonance imaging, recommended by nationally recognized clinical practice guidelines for the detection of breast cancer.

This bill was signed by the Governor.

E. Special Enrollment for Pregnant Individuals

A.2656 Walker / S.201 Cleare

Chapter 420 of the Laws of 2024

This law prohibits health plans from imposing fees or other penalties on pregnant individuals that enroll in the New York State of Health Marketplace during a special enrollment period.

This bill was signed by the Governor.

F. Coverage of Neuropsychological Exams for Dyslexia

A.2898-A Carroll / S.5481-A Hoylman-Sigal

Chapter 548 of the Laws of 2024

This law requires commercial health insurance policies to provide coverage of comprehensive neuropsychological examinations for the purpose of diagnosing dyslexia.

This bill was signed by the Governor.

G. Premium Reductions for Physicians and Licensed Midwives

A.3241-A Paulin

This bill would allow for a medical malpractice premium reduction for licensed midwives who complete risk management strategies courses in obstetrics or midwifery.

This bill passed the Assembly.

H. Coverage of Prenatal Vitamins

A.3865-A Gunther / S.1965-A Addabbo

Chapter 421 of the Laws of 2024

This law requires commercial health insurance policies to provide coverage of prenatal vitamins.

This bill was signed by the Governor.

I. Coverage of Lactation Consultant Services  
A.3980-A Jackson

This bill would require commercial health insurance policies to provide coverage of lactation consultant services.

This bill passed the Assembly.

J. Coverage of Certain Providers After Health Plan Disaffiliation  
A.5129 Dinowitz / S.6576 Comrie

This bill would require commercial health insurance policies to provide coverage of services provided by a disaffiliated provider for one year following disaffiliation and until death if the insured has a terminal illness or condition.

This bill was reported to Rules.

K. Coverage of Nipple Tattooing  
A.5729-A Paulin / S.6146-A Cleare  
Chapter 228 of the Laws of 2024

This law requires commercial health insurance policies to provide coverage of tattooing of the nipple-areolar complex as a part of breast reconstruction surgery.

This bill was signed by the Governor.

L. Coverage of Transvaginal Ultrasounds  
A.6042-B Bichotte Hermelyn / S.5579-A Scarcella-Spanton

This bill would require commercial health insurance policies to provide coverage of transvaginal ultrasounds when recommended by nationally recognized clinical practice guidelines.

This bill passed the Assembly.

M. Coverage of Creative Arts Therapy Services  
A.6173 Bronson / S.6362 Brouk

This bill would require commercial health insurance policies to provide coverage of outpatient care provided by licensed creative arts therapists.

This bill passed the Assembly.

N. Cost Sharing for Physical and Occupational Therapy  
A.6345 Weprin / S.1470 Breslin

This bill would prohibit health insurers from imposing cost-sharing for physical therapy that is greater than the cost-sharing for office visits of a licensed primary care physician for the same or a similar diagnosed condition.

This bill was vetoed by the Governor.

O. Coverage of Epinephrine Auto-Injectors  
A.6425-A O'Donnell / S.7114-A Rivera  
Chapter 553 of the Laws of 2024

This bill would require commercial health insurance policies to provide coverage of two epinephrine auto-injector devices for the emergency treatment of life-threatening allergic reactions with an annual copayment cap of \$100.

This bill was signed by the Governor.

P. Utilization Review Reform  
A.7268-A Weprin / S.3400-A Breslin

This bill would require health insurers to utilize recognized evidence-based and peer reviewed clinical review criteria that takes into account the needs of a typical patient population and diagnoses, make a pre-authorization determination within 72 hours of receipt of necessary information, and within 24 hours for requests from insured with a medical condition that places the health of the insured in serious jeopardy without the recommended health care services, and to make a prior authorization approval be valid for the duration of a prescription and the duration of treatment for a specific condition.

This bill was Reported to Rules.

Q. Expanded Coverage of Pasteurized Donor Human Milk  
A.7790-A Solages / S.6674-A Hoylman-Sigal  
Chapter 422 of the Laws of 2024

This law requires commercial health insurance policies to provide coverage of the outpatient use of pasteurized donor human milk.

This bill was signed by the Governor.

R. Non-Covered Dental Services  
A.7862-A Weprin / S.7577-A Breslin

This bill would prohibit insurers that issue dental insurance policies from setting prices for dental services that are not covered under the policies they issue.

This bill was vetoed by the Governor.

S. Notice of Adverse Step Therapy Determinations  
A.8501 McDonald / S.8038 Breslin  
Chapter 28 of the Laws of 2024

This law amended Chapter 735 of the Laws of 2023, which required utilization review agents issuing a notice of an adverse determination regarding a step therapy protocol override request to include in the notice the clinical review criteria relied upon to make such determination and any applicable alternative prescriptions drugs subject to the step therapy protocol. This chapter amendment requires notices of adverse determinations to include the reasons for the determination, including clinical rationale, instructions on how to initiate standard, expedited and external appeals, notice of the availability, upon request of the insured or the insured's designee, of the clinical review criteria relied upon to make such determination and what, if any, additional necessary information must be provided to, or obtained by, the utilization review agent in order to render a decision on appeal, among other requirements.

This bill was signed by the Governor.

T. Coverage of Biomarker Testing  
A.8502 Hunter / S.8040 Persaud  
Chapter 29 of the Laws of 2024

This law amended Chapter 754 of the Laws of 2023, which required commercial health insurance policies and Medicaid policies to provide coverage of biomarker testing for the purposes of diagnosis, treatment, appropriate management, or ongoing monitoring of a covered person's disease or condition when the test provides clinical utility to an insured as demonstrated by medical and scientific evidence. This chapter amendment provided technical amendments to this chapter, extends the effective date from April 1, 2024 to January 1, 2025, and requires coverage of biomarker precision medical tests whose efficacy and appropriateness are recognized by peer-reviewed literature and peer-reviewed scientific studies published in or accepted for publication by medical journals that meet nationally recognized requirements.

This bill was signed by the Governor.

U. Prohibition on Electronic Payment Fees to Providers  
A.8576 McDonald

This bill would prohibit insurers, corporations, and HMOs from imposing a charge or deducting a reimbursement payment to a provider because such payment is made through electronic or paper means.

This bill was reported to Rules.

V. PrEP Discrimination Protections  
A.8834-B Weprin / S.8144-C Breslin  
Chapter 126 of the Laws of 2024

This law prohibits an insurer from refusing to insure, refusing to continue to insure or limiting the amount, extent or kind of coverage available to an individual or charging a different rate for the same coverage solely because the insured or potential insured was prescribed PrEP medication for the prevention of HIV infection.

This bill was signed by the Governor.

W. Coverage of Patients' Choice Provider  
A.9539 Eichenstein / S.8957 Hoylman-Sigal

This bill would require commercial health insurance policies to provide coverage of a chosen provider for insureds that are deemed to have a rare disease, life-threatening condition or disease, degenerative and disabling condition or if the insured is a medically fragile child, if the costs of the chosen provider are equal to or less than the average cost that would be paid to an in-network provider, if the patient's treating specialist or primary care physician provides a written statement to recommend the chosen provider for the particular disease, and the chosen provider is accredited or designated as having special expertise in treating, or has demonstrated clinical focus in the area of the confirmed diagnosis.

This bill was advanced to Third Reading Calendar.

X. "Lauren's Law" Extension  
A.9564-B Gunther / S.8749-A Breslin  
Chapter 159 of the Laws of 2024

This law extends the effective date of "Lauren's Law" from June 2024 to January 1, 2026. Chapter 758 of the Laws of 2022 and Chapter 29 of the Laws of 2023 established "Lauren's Law", which, when effective, will require health insurance enrollment, renewal or initial online portal process setup forms to provide space for a question asking whether insureds or applicants for insurance want to register for the Donate for Life Registry.

This bill was signed by the Governor.

Y. Health Savings Account Pilot Program Extension  
A.9968 Woerner / S.9153 Breslin  
Chapter 402 of the Laws of 2024

This law extends until December 31, 2027, provisions of the insurance law that authorize HMOs to sell high deductible health plans in conjunction with a Health Reimbursement Account or Health Savings Account to towns in the state.

This bill was signed by the Governor.

Z. Prohibition on Copayments for PrEP Prescriptions  
A.10461 Simone / S.9842 Hoylman-Sigal  
Chapter 180 of the Laws of 2024

This law clarifies language in the insurance law that prohibits insurers from requiring copayments for prescriptions of PrEP if the drug has in effect a rating of 'A' or 'B' in the current recommendations of the United States Preventive Services Task Force.

This bill was signed by the Governor.



## ▪ PROPERTY / CASUALTY INSURANCE ▪

### A. Alternative Forms of Identification for Renters Insurance

A.125-B Cruz

This bill would allow applicants for renters insurance to submit to the insurer a municipal identification card or other state or local government-issued identification card.

This bill passed the Assembly.

### B. Homeowner Natural Disaster Preparedness, Home Safety and Loss Prevention Courses

A.136-A Cruz / S.4057-A Mannion

This bill would require the DFS to issue a request for proposal to implement the homeowner natural disaster preparedness, home safety and loss prevention program authorized in the 2016-17 enacted budget.

This bill passed the Assembly.

### C. Service Contract Reimbursement Insurance

A.1231-A Lunsford / S.2798-B Breslin

This bill would allow service contract providers to purchase multiple policies of service contract reimbursement insurance.

This bill was vetoed by the Governor.

### D. Lead Paint Exclusion

A.1687 Rivera, J.D. / S.88 Ryan

This bill would prohibit insurers licensed to provide liability coverage to rental property owners from excluding coverage of losses caused by exposure to lead-based paint.

This bill passed the Assembly.

E. Hurricane Windstorm Deductibles  
A.2866 Pheffer Amato / S.4199 Sanders  
Chapter 460 of the Laws of 2024

This bill would require the Superintendent of the DFS to promulgate regulations providing standards for hurricane windstorm deductibles which create, to the greatest extent possible, uniformity in the operation of such deductibles with respect to the triggering event.

This bill was signed by the Governor.

F. Flood Insurance Annual Notice  
A.5439 Barclay / S.4381 Walczyk

This bill would require the DFS to post a statement related to flood insurance and contact information in newspapers that serve communities bordering Lake Ontario.

This bill passed the Assembly.

G. Dog Breed Discrimination In Renters Insurance Policies  
A.6867-B Rosenthal / S.7416-B Gianaris

This bill would prohibit an insurer from cancelling, refusing to issue or renew, increasing the premium of a renters insurance policy or excluding, limiting, restricting or reducing coverage based solely upon a policyholder's harboring or owning any dog of a specific breed or mixture of breeds.

This bill was advanced to Third Calendar Reading.

H. Discrimination Protections for Affordable Housing Developments  
A.7910-A Weprin

This bill would prohibit an insurer of residential property from inquiring about, cancelling, refusing to issue or renew or increasing the premium of a policy, or excluding, limiting, restricting, or reducing coverage under a policy based on the level or source of income of the tenants or the real property owner, whether the building contains units that must be affordable to residents at a specific income level pursuant to a statute, regulation, regulatory agreement or restrictive declaration with a local, state, or federal government entity, whether the property owner or tenants receive rental assistance provided by a local, state, or federal government entity, wherein the tenant's portion of the rent is limited to a percentage of their income, or on whether the building is owned by a limited-equity cooperative, a public housing authority or by a cooperative housing corporation.

This bill was advanced to Third Calendar Reading.

I. Free Trade Zone Filing Exemption Expansion  
A.8212 Weprin / S.1469 Breslin

This bill would remove the requirement that insurance business be underwritten and transacted from an office within the state to be eligible for placement in the Free Trade Zone.

This bill was reported to Rules.

J. Standardized Requirements for Pet Insurance Policies  
A.8276 Hunter / S.7845 Breslin

This bill would standardize the definitions and policy disclosures required in pet insurance policies issued under the insurance law and would create training, licensure, and sales practices requirements for insurance producers that sell pet insurance.

This bill was vetoed by the Governor.

K. Wireless Communication Equipment Insurance  
A.8304-B Weprin / S.7748-C Breslin  
Chapter 386 of the Laws of 2024

This law authorizes licensed wireless communication equipment vendors to sell policies of wireless communication equipment insurance with service contracts under wireless communications equipment protection plans.

This bill was signed by the Governor.

L. Prompt Investigation and Settlement of Claims  
A.8518 Stern / S.8004 Skoufis  
Chapter 8 of the Laws of 2024

This law amends Chapter 775 of the Laws of 2023, which requires property and casualty insurers to investigate and settle claims within 15 business days of receipt of all claims information, with the option of an additional 15-day extension, and payout claims within 3 days of settlement after the declaration of a local, state, or federal emergency.

This chapter amendment requires that property and casualty insurance claims that are submitted due to the occurrence of a natural disaster or a disaster caused by an act of terrorism, which result in the declaration of a local, state, or federal state of emergency, shall be subject to the prompt investigation and settlement of claims provisions of this law. Insurers must advise non-commercial claimants in writing whether their claim has been accepted or rejected within 15 business days of the insurer's receipt of a properly executed proof of loss and receipt of all items, statements and forms requested from the claimant or the claimant's authorized representative. An insurer may elect for an optional 15 business day extension to determine whether the non-commercial claim should be accepted or rejected, but must notify the claimant, or the claimant's authorized representative, the reasons additional time is needed for the investigation. An insurer that suspects that a non-commercial claim involves arson may have an optional 30 business day extension. Insurers that are prohibited from physically accessing a non-commercial claimant's property to investigate their claim may have an additional 15 business day extensions until the insurer can access the property. Once the insurer can physically access the property, it has 15 days to adjudicate the claim. If the insurer elects to utilize extensions, it shall notify the claimant, or the claimant's authorized representative, every 15 days the reasons additional time is needed for the investigation.

This bill was signed by the Governor.

*M. Anti-Arson Applications*

*A.8831 Berger / S.3547 Sanders*

This bill would repeal a requirement that consumers seeking to purchase or renew policies covering multi-family dwellings in New York City complete an anti-arson application for their coverage to be effective.

This bill passed the Assembly.

*N. Flood Insurance Study*

*A.8942 Weprin / S.8167 Breslin*

This bill would direct the DFS to conduct a study to examine any increases in property insurance premiums that may affect the affordability of property insurance coverage, any lack of availability of property insurance coverage of losses from flooding in New York state, and the possibility of supporting a private flood insurance market in the state.

This bill was vetoed by the Governor.

*O. Coastal Market Assistance Program Expansion*

*A.9821 Otis / S.8320-A Mayer*

*Chapter 582 of the Laws of 2024*

This bill would expand eligibility for the Coastal Market Assistance Program (C-MAP) to properties located within one mile of a salt-water ocean, sound, bay, inlet, Lake Erie, Lake Ontario, the Saint Lawrence River or the Niagara River with distance measured from mean high water, or more expansive eligibility standards for participation in the coastal market assistance program as determined by the New York Property Insurance Underwriting Association.

This bill was signed by the Governor.

*P. Business Interruption Insurance*

*A.10342 Burgos / S.9481 Mayer*

*Chapter 369 of the Laws of 2024*

This law authorizes the sale of business interruption insurance, which is defined as insurance against loss of use and occupancy, rents, and profits resulting from a business closure due to loss or damage to insured or neighboring property, an act or threatened act of violence while the perpetrator is on the business premises or a government order.

This bill was signed by the Governor.

*Q. Anti-Concurrent Causation Clauses*

*A.10343 Weprin / S.9421 Breslin*

This bill would prohibit non-commercial real property insurance policies that provide coverage of loss or damage resulting from water or water born material that backs up through sewers or drains, or overflows or is discharged from a sump, sump pump, or related equipment, from excluding such coverage on the ground that such loss or damage may have been caused directly or indirectly by an excluded peril contributing concurrently or in any sequence to cause the loss.

This bill was vetoed by the Governor.

*R. Parametric Insurance*

*A.10344 Sillitti / S.9420 Skoufis*

*Chapter 569 of the Laws of 2024*

This bill would authorize the sale of parametric insurance, which is defined as insurance against the occurrence of a weather-related event, such as windstorm, flood, snow, wildfire, tornado, cyclone, or earthquake, where the indemnification is based on the proximity and magnitude of the event as measured and reported by a state or federal government agency.

This bill was signed by the Governor.

S. Owner-Controlled and Contractor-Controlled Insurance  
A.10362-B Wallace / S.9327-B Ryan  
Chapter 370 of the Laws of 2024

This law authorizes the Department of Transportation, The State University of New York at Buffalo, and the Niagara Frontier Transportation Authority to utilize owner-controlled and contractor-controlled insurance programs in connection with the construction or reconstruction of the Kensington Expressway and the Humboldt Parkway, the construction of the Empire AI Research Institute, and the construction to extend or expand the railroad in the Niagara Frontier transportation district, respectively. To utilize owner-controlled and contractor-controlled insurance programs, such projects must have an estimated cost of no less than \$5 million or be subject to an owner-controlled insurance program that is undertaken pursuant to a project labor agreement.

This bill was signed by the Governor.

## ▪ AUTO INSURANCE ▪

### A. Driving History Verification

*A.8500 Weprin / S.8018 Breslin*

*Chapter 80 of the Laws of 2024*

This law amended Chapter 767 of the Laws of 2023, which required auto insurers that utilize an applicant's driving history as a rating or underwriting factor to make a good faith effort to verify the applicant's driving history and other named drivers that are listed on the application using a third-party database. This chapter amendment provided technical amendments, specified that the law applies to drivers' New York State driving history, and removed the requirement that auto insurers verify the driving history of all drivers at policy renewal.

This bill was signed by the Governor.

### B. Coverage for Police Agencies

*A.8503 Jacobson / S.8030 Skoufis*

*Chapter 30 of the Laws of 2024*

This law amended Chapter 751 of the Laws of 2023, which required insurance policies covering police and fire vehicles to provide supplemental coverage of bodily injury sustained by an uninsured or an underinsured motorist when the policy includes such endorsement. This chapter amendment removed reference to self-insurance policies, specified that supplemental uninsured/underinsured motorist (SUM) insurance coverage shall apply to police vehicles that are principally garage or used in this state and removed the requirement that SUM coverage be no less than the bodily injury liability insurance limits of the policy.

This bill was signed by the Governor.

### C. Risk Retention Group Auto Insurance Policies

*A.8505 Kelles / S.8053 Webb*

*Chapter 14 of the Laws of 2024*

This law amended Chapter 438 of the Laws of 2023, which allowed a risk retention group (RRG) that is not chartered in this state that is comprised entirely of tax-exempt and that qualifies as a charitable risk pool to issue policies of automobile liability insurance in New York state. This chapter amendment allowed RRGs to only issue automobile liability policies to vehicles registered by not-for-profits that do not have a seating capacity of more than 15 passengers, are not a limousine or luxury limousine, are not solely for personal use by a director, officer, authorized person, or key person, their relatives or related parties. It amended the purview of



the study to be conducted by the Department of Financial Services (DFS) and Department of Motor Vehicles (DMV), required the study be delivered to the governor and legislature no later than September 1, 2027, required RRGs to submit necessary information to DFS, upon the superintendent's request, and delayed the effective date of Chapter 438 of the Laws of 2023 to March 1, 2024.

This bill was signed by the Governor.

*D. Commuter Van Captive Insurance Program*  
*A.9099 Anderson / S.8432 Comrie*

This bill would direct the DFS to implement a captive insurance program for commuter vans, pre-arranged for-hire vehicles, and accessible vehicles that are engaged in the business of carrying or transporting passengers for hire.

This bill was vetoed by the Governor.

*E. Supplemental Spousal Liability Insurance*  
*A.9407-A Weprin / S.9021-A Breslin*  
*Chapter 356 of the Laws of 2024*

This law amended the supplemental spousal liability insurance requirements under the insurance law by making such coverage an opt-out endorsement only for insureds that indicate on an application for insurance that they have a spouse. In addition, this law requires insurers to provide supplemental spousal liability insurance to insureds upon written request. This law also requires insurers to notify insureds upon policy issuance, renewal or amendment whether their policy includes supplemental spousal liability coverage or, if not, the availability of such coverage.

This bill was signed by the Governor.

## ▪ LIFE INSURANCE ▪

### *A. Disability Benefit Reduction Protections*

*A.6126-A Hunter / S.5242-A Breslin*

This bill would authorize life and health insurance policies that offer disability insurance to reduce benefits due to the actual or anticipated receipt of social security disability benefits or other disability benefits only if the insurer notifies the insured that they may qualify for such benefits and to pursue such benefits through any required administrative appeals the insurer has a reasonable, good faith belief that the insured is entitled to such benefits and a means of reasonably estimating the amount payable, the insurer makes a good faith effort to assist the insured in applying for such benefits, and the insured fails to apply for, or pursue, such benefits with reasonable diligence during the application process or any required appeals.

This bill was vetoed by the Governor.

### *B. Wellness Programs for Life Insurance Policies*

*A.8504 Meeks / S.8019 Breslin*

*Chapter 3 of the Laws of 2024*

This law amended Chapter 768 of the Laws of 2023, which permitted life insurers to establish wellness programs in conjunction with the issuance of life insurance policies. This chapter amendment included stress management programs as eligible wellness program, specified that a “wellness program” shall not include limited benefits health insurance, required life insurers to disclose to applicants that the program is not health insurance and allowed wellness program participants to receive monetary rewards in the form of gift cards, gift certificates, vouchers, or discounts on products or services in return for engaging in healthy behaviors, among other changes.

This bill was signed by the Governor.

## ▪ MISCELLANEOUS ▪

### A. Transgender Health Insurance Protections

A.1682-B Woerner

This bill would prohibit a health insurer from denying a claim of an insured because the insured's gender or sex indicated on a claim form submitted to the insurer is different from the sex or gender indicated on the insured's policy forms, unless the insurer has taken reasonable steps, including requesting additional information, to determine whether the insured is eligible for the services prior to denial of such claim.

This bill was reported to Rules.

### B. Prohibition on Insurer Demands for Intrusive Information

A.1731-A Dinowitz

This bill would make it an unfair claim settlement practice for an insurer to demand personal, financial and tax information while investigating a theft claim. Under this bill, an insurer could only request personal, financial, and tax information if special articulable circumstances exist which directly relate to the particular, individual facts of such theft and which warrant the making of such demand for the specific purpose of determining if such claim is fraudulent.

This bill passed the Assembly.

### C. Electronic Record Keeping and Sharing

A.2387-A Dilan

This bill would give insurers statutory authorization to store records and books of account through electronic means.

This bill passed the Assembly.

### D. Policy Summary Documents

A.2741 Paulin / S.4228 Cooney

This bill would require insurers to provide policyholders with a document summarizing basic policy information when they purchase homeowners' insurance, renters, and non-commercial auto insurance policies. The document must state the coverage limits, term of the policy, annual premium, deductible amounts, and the principal exclusions from coverage. Such document would also need to include a disclaimer that the document is only a summary of the policy, that the amount and

scope of coverage are determined only by the actual terms of the policy, and that if the policyholder has any questions, they should contact the insurer, or the agent or broker who sold the policy.

This bill passed the Assembly.

*E. Standardized Insurance Terms  
A.4011 Weprin / S.1472 Breslin*

This bill would require the Superintendent of the DFS, within six months of the effective date of this bill, to promulgate regulations which provide standardized definitions for commonly used terms and phrases found in homeowners' policies and commercial lines policies that provide coverage of loss or damage to real property, personal property or other liabilities. Insurers must incorporate these standardized terms by January 1, 2025.

This bill passed the Assembly.

*F. Federal Home Loan Banks  
A.4925 Hunter / S.6827 Breslin*

This bill would require that Federal Home Loan Bank receivers shall not void a transfer of money or other property, arising in connection with a federal home loan bank security agreement made before any formal proceedings and in compliance with the security agreement, unless such transfer was made with the intent to hinder, delay, or defraud the insurer-member, a receiver appointed for the insurer-member or existing/future creditors. It would also require that receivers shall not void redemption or repurchase of any stock or equity securities which were made by the Federal Home Loan Bank within four months of a formal commencement of delinquency proceedings.

This bill passed the Assembly.

*G. Required Insurance Contract Terms  
A.9019-A Woerner / S.8414-A Breslin*

This bill would require contracts between health insurers and their network providers to include terms which prescribe the permissible payment methods used to reimburse the provider without any associated charges or fees, the advance written consent of a provider to the insurer to utilize a certain method of payment, and the insurer's annual obligation to provide the health care provider with an updated payment rate schedule.

This bill was advanced to Third Reading Calendar.

## ▪ OUTLOOK FOR 2025 ▪

Looking forward to the 2025 session, the Assembly Committee on Insurance will remain steadfast in developing and advancing legislation that protects consumers of insurance, expands access to innovative insurance products, ensures New Yorkers have access to essential health insurance services and prepares insurers and policyholders alike for an insurance industry challenged by the impacts of climate change, inflation, and other threats.

The Committee's top priority next year will be to continue monitoring the health of the property and casualty insurance market and to work with its many stakeholders to ensure that policyholders receive affordable and comprehensive coverage and insurers remain financially robust and solvent.

# **APPENDIX A** **2024 SUMMARY SHEET**

## SUMMARY OF ACTION ON ALL BILLS REFERRED TO THE COMMITTEE ON

### Insurance

**TOTAL NUMBER OF COMMITTEE MEETINGS HELD: 6**

<b>BILLS REPORTED FAVORABLE TO:</b>	<u>Assembly</u> <u>Bills</u>	<u>Senate</u> <u>Bills</u>	<u>Total</u> <u>Bills</u>
Codes	5	0	5
Judiciary	0	0	0
Ways and Means	8	0	8
Rules	19	0	19
Floor	16	0	16
<b>TOTAL</b>	<b>48</b>	<b>0</b>	<b>48</b>

### **COMMITTEE ACTION**

Held for Consideration	1	0	1
Defeated	0	0	0
Enacting Clause Stricken	5	0	5
<b>REMAINING IN COMMITTEE</b>	<b>255</b>	<b>24</b>	<b>279</b>

### **BILLS REFERENCE CHANGED TO:**

#### **Ways and Means**

<b>TOTAL</b>	<b>2</b>	<b>0</b>	<b>2</b>
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## APPENDIX B

### CHAPTERS OF 2024

Bill / Sponsor	Description	Final Action
A.38-A/Rosenthal S.2063-A/Stavisky	Would require commercial health insurance policies that provide coverage of cancer chemotherapy treatment to provide coverage of scalp cooling systems used in connection with cancer chemotherapy treatment.	Chapter 595 of the Laws of 2024
A.901-A/McDonald S.1267-A/Breslin	Would establish patient protections that health plans and utilization review agents must adhere to when creating a step therapy protocol. This includes a rule that prevents protocols from requiring a newly insured repeat step therapy for a prescribed drug that the insured already completed step therapy for under another health plan.	Chapter 641 of the Laws of 2024
A.1619-A/Rosenthal S.1001-A/Hoylman-Sigal	Prohibited insurers from imposing prior authorization on antiretroviral prescription drugs prescribed for the treatment or prevention of the human immunodeficiency virus (HIV) or acquired immunodeficiency syndrome (AIDS).	Chapter 152 of the Laws of 2024
A.1696-C/Hunter S.2465-C/Persaud	Required commercial health insurance policies to provide coverage of screening and diagnostic imaging, including diagnostic mammograms, breast ultrasounds, or magnetic resonance imaging, recommended by nationally recognized clinical practice guidelines for the detection of breast cancer.	Chapter 424 of the Laws of 2024
A.2656/Walker S.201/Cleare	Prohibited health plans from imposing fees or other penalties on pregnant individuals that enroll in the New York State of Health Marketplace during a special enrollment period.	Chapter 420 of the Laws of 2024
A.2898-A/Carroll S.5481-A/Hoylman-Sigal	Required commercial health insurance policies to provide coverage of comprehensive neuropsychological examinations for the purpose of diagnosing dyslexia.	Chapter 548 of the Laws of 2024
A.3865-A/Gunther S.1965-A/Addabbo	Required commercial health insurance policies to provide coverage of prenatal vitamins.	Chapter 421 of the Laws of 2024

A.5729-A/Paulin S.6146-A/Cleare	Required commercial health insurance policies to provide coverage of tattooing of the nipple-areolar complex as a part of breast reconstruction surgery.	Chapter 228 of the Laws of 2024
A.6425-A/O'Donnell S.7114-A/Rivera	Would require commercial health insurance policies to provide coverage of two epinephrine auto-injector devices for the emergency treatment of life-threatening allergic reactions with an annual copayment cap of \$100.	Chapter 553 of the Laws of 2024
A.7790-A/Solages S.6674-A/Hoylman-Sigal	Required commercial health insurance policies to provide coverage of the outpatient use of pasteurized donor human milk.	Chapter 422 of the Laws of 2024
A.8304-B/Weprin S.7748-C/Breslin	Authorized licensed wireless communication equipment vendors to sell policies of wireless communication equipment insurance with service contracts under wireless communications equipment protection plans.	Chapter 386 of the Laws of 2024
A.8500/Weprin S.8018/Breslin	Amended Chapter 767 of the Laws of 2023 to provide technical amendments, specify that the law applies to drivers' New York State driving history, and remove the requirement that auto insurers verify the driving history of all drivers at policy renewal.	Chapter 80 of the Laws of 2024
A.8501/McDonald S.8038/Breslin	Required notices of adverse determinations for step therapy protocol override requests to include the reasons for the determination, including clinical rationale, instructions on how to initiate standard, expedited and external appeals, notice of the availability, upon request of the insured or the insured's designee, of the clinical review criteria relied upon to make such determination and what, if any, additional necessary information must be provided to, or obtained by, the utilization review agent in order to render a decision on appeal.	Chapter 28 of the Laws of 2024
A.8502/Hunter S.8040/Persaud	Required commercial health insurance policies provide coverage of biomarker precision medical tests whose efficacy and appropriateness are recognized by peer-reviewed literature and peer-reviewed scientific studies published in or accepted for publication by medical journals that meet nationally recognized requirements.	Chapter 29 of the Laws of 2024
A.8503/Jacobson S.8030 Skoufis	Amended Chapter 751 of the Laws of 2023 to remove reference to self-insurance policies,	Chapter 30 of the Laws of 2024

	specify that supplemental uninsured/underinsured motorist (SUM) insurance coverage shall apply to police vehicles that are principally garage or used in this state and remove the requirement that SUM coverage be no less than the bodily injury liability insurance limits of the policy.	
A.8504/Meeks S.8019/Breslin	Amended Chapter 768 of the Laws of 2023 to include stress management programs as eligible wellness program, specify that a “wellness program” shall not include limited benefits health insurance, require life insurers to disclose to applicants that the program is not health insurance, and allow wellness program participants to receive monetary rewards in the form of gift cards, gift certificates, vouchers, or discounts on products or services in return for engaging in healthy behaviors.	Chapter 3 of the Laws of 2024
A.8505/Kelles S.8053/Webb	Amended Chapter 438 of the Laws of 2023 to allow RRGs to only issue automobile liability policies to vehicles registered by not-for-profits that do not have a seating capacity of more than 15 passengers, are not a limousine or luxury limousine, are not solely for personal use by a director, officer, authorized person, or key person, their relatives or related parties. It amended the purview of the study to be conducted by the Department of Financial Services (DFS) and Department of Motor Vehicles (DMV), required the study be delivered to the governor and legislature no later than September 1, 2027, required RRGs to submit necessary information to DFS, upon the superintendent’s request, and delayed the effective date of Chapter 438 of the Laws of 2023 to March 1, 2024.	Chapter 14 of the Laws of 2024
A.8518/Stern S.8004/Skoufis	Required that property and casualty insurance claims that are submitted due to the occurrence of a natural disaster or a disaster caused by an act of terrorism, which result in the declaration of a local, state, or federal state of emergency, shall be subject to the prompt investigation and settlement of claims provisions of this law. Insurers must advise non-commercial claimants	Chapter 8 of the Laws of 2024

	<p>in writing whether their claim has been accepted or rejected within 15 business days of the insurer's receipt of a properly executed proof of loss and receipt of all items, statements and forms requested from the claimant or the claimant's authorized representative. An insurer may elect for an optional 15 business day extension to determine whether the non-commercial claim should be accepted or rejected, but must notify the claimant, or the claimant's authorized representative, the reasons additional time is needed for the investigation. An insurer that suspects that a non-commercial claim involves arson may have an optional 30 business day extension. Insurers that are prohibited from physically accessing a non-commercial claimant's property to investigate their claim may have an additional 15 business day extensions until the insurer can access the property. Once the insurer can physically access the property, it has 15 days to adjudicate the claim. If the insurer elects to utilize extensions, it shall notify the claimant, or the claimant's authorized representative, every 15 days the reasons additional time is needed for the investigation.</p>	
A.8834-B/Weprin S.8144-C/Breslin	<p>Prohibited an insurer from refusing to insure, refusing to continue to insure or limiting the amount, extent or kind of coverage available to an individual or charging a different rate for the same coverage solely because the insured or potential insured was prescribed PrEP medication for the prevention of HIV infection.</p>	Chapter 126 of the Laws of 2024
A.9407-A/Weprin S.9021-A/Breslin	<p>Amended the supplemental spousal liability insurance requirements under the insurance law by making such coverage an opt-out endorsement only for insureds that indicate on an application for insurance that they have a spouse. In addition, this law required insurers to provide supplemental spousal liability insurance to insureds upon written request. Also required insurers to notify insureds upon policy issuance, renewal or amendment whether their policy includes supplemental spousal liability coverage</p>	Chapter 356 of the Laws of 2024

	or, if not, the availability of such coverage.	
A.9564-B/Gunther S.8749-A/Breslin	Extended the effective date of “Lauren’s Law” from June 2024 to January 1, 2026. Chapter 758 of the Laws of 2022 and Chapter 29 of the Laws of 2023 established "Lauren's Law", which, when effective, will require health insurance enrollment, renewal or initial online portal process setup forms to provide space for a question asking whether insureds or applicants for insurance want to register for the Donate for Life Registry.	Chapter 159 of the Laws of 2024
A.9821/Otis S.8320-A/Mayer	Would expand eligibility for the Coastal Market Assistance Program (C-MAP) to properties located within one mile of a salt-water ocean, sound, bay, inlet, Lake Erie, Lake Ontario, the Saint Lawrence River or the Niagara River with distance measured from mean high water, or more expansive eligibility standards for participation in the coastal market assistance program as determined by the New York Property Insurance Underwriting Association.	Signed Chapter 582 of the Laws of 2024
A.9968/Woerner S.9153/Breslin	Extended until December 31, 2027, provisions of the insurance law that authorize HMOs to sell high deductible health plans in conjunction with a Health Reimbursement Account or Health Savings Account to towns in the state.	Chapter 402 of the Laws of 2024
A.10342/Burgos S.9481/Mayer	Authorized the sale of business interruption insurance, which is defined as insurance against loss of use and occupancy, rents, and profits resulting from a business closure due to loss or damage to insured or neighboring property, an act or threatened act of violence while the perpetrator is on the business premises or a government order.	Chapter 369 of the Laws of 2024
A.10344/Sillitti S.9420/Skoufis	Would authorize the sale of parametric insurance, which is defined as insurance against the occurrence of a weather-related event, such as windstorm, flood, snow, wildfire, tornado, cyclone, or earthquake, where the indemnification is based on the proximity and magnitude of the event as measured and reported by a state or federal government agency.	Chapter 569 of the Laws of 2024
A.10362-B/Wallace S.9327-B/Ryan	Authorized the Department of Transportation, The State University of New York at Buffalo, and	Chapter 370 of the Laws of 2024

	the Niagara Frontier Transportation Authority to utilize owner-controlled and contractor-controlled insurance programs in connection with the construction or reconstruction of the Kensington Expressway and the Humboldt Parkway, the construction of the Empire AI Research Institute, and the construction to extend or expand the railroad in the Niagara Frontier transportation district, respectively. To utilize owner-controlled and contractor-controlled insurance programs, such projects must have an estimated cost of no less than \$5 million or be subject to an owner-controlled insurance program that is undertaken pursuant to a project labor agreement.	
A.10461/Simone S.9842/Hoylman-Sigal	Clarified language in the insurance law that prohibits insurers from requiring copayments for prescriptions of PrEP if the drug has in effect a rating of 'A' or 'B' in the current recommendations of the United States Preventive Services Task Force.	Chapter 180 of the Laws of 2024

## APPENDIX C

### BILLS REPORTED IN 2024

Bill/ Sponsor	Description	Last Action
A.38-A/Rosenthal S.2063-A/Stavisky	Would require commercial health insurance policies that provide coverage of cancer chemotherapy treatment to provide coverage of scalp cooling systems used in connection with cancer chemotherapy treatment.	Signed Chapter 595 of the Laws of 2024
A.125-B/Cruz	Would allow applicants for renters insurance to submit to the insurer a municipal identification card or other state or local government-issued identification card.	Passed the Assembly
A.136-A/Cruz S.4057-A/Mannion	Would require the DFS to issue a request for proposal to implement the homeowner natural disaster preparedness, home safety and loss prevention program authorized in the 2016-17 enacted budget.	Passed the Assembly
A.901-A/McDonald S.1267/Breslin	Would establish patient protections that health plans and utilization review agents must adhere to when creating a step therapy protocol. This includes a rule that prevents protocols from requiring a newly insured repeat step therapy for a prescribed drug that the insured already completed step therapy for under another health plan.	Signed Chapter 641 of the Laws of 2024
A.1231-A/Lunsford S.2798-B/Breslin	Would allow service contract providers to purchase multiple policies of service contract reimbursement insurance.	Vetoed
A.1619-A/Rosenthal S.1001-A/Hoylman-Sigal	Prohibited insurers from imposing prior authorization on antiretroviral prescription drugs prescribed for the treatment or prevention of the human immunodeficiency virus (HIV) or acquired immunodeficiency syndrome (AIDS).	Signed Chapter 152 of the Laws of 2024
A.1682-B/Woerner	Would prohibit a health insurer from denying a claim of an insured because the insured's gender or sex indicated on a claim form submitted to the insurer is different from the sex or gender indicated on the insured's policy forms, unless the insurer has taken reasonable steps, including requesting additional information, to determine whether the	Reported to Rules



	insured is eligible for the services prior to denial of such claim.	
A.1696-C/Hunter S.2465-C/Persaud	Required commercial health insurance policies to provide coverage of screening and diagnostic imaging, including diagnostic mammograms, breast ultrasounds, or magnetic resonance imaging, recommended by nationally recognized clinical practice guidelines for the detection of breast cancer.	Signed Chapter 424 of the Laws of 2024
A.2387-A/Dilan	Would give insurers statutory authorization to store records and books of account through electronic means.	Passed Assembly
A.2656/Walker S.201/Cleare	Prohibited health plans from imposing fees or other penalties on pregnant individuals that enroll in the New York State of Health Marketplace during a special enrollment period.	Signed Chapter 420 of the Laws of 2024
A.2898-A/Carroll S.5481-A/Hoylman-Sigal	Required commercial health insurance policies to provide coverage of comprehensive neuropsychological examinations for the purpose of diagnosing dyslexia.	Chapter 548 of the Laws of 2024
A.3865-A/Gunther S.1965-A/Addabbo	Required commercial health insurance policies to provide coverage of prenatal vitamins.	Signed Chapter 421 of the Laws of 2024
A.3980-A/Jackson	Would require commercial health insurance policies to provide coverage of lactation consultant services.	Passed Assembly
A.5129/Dinowitz S.6576/Comrie	Would require commercial health insurance policies to provide coverage of services provided by a disaffiliated provider for one year following disaffiliation and until death if the insured has a terminal illness or condition.	Reported to Rules
A.6042-B/Bichotte Hermelyn S.5579-A/Scarcella-Spanton	Would require commercial health insurance policies to provide coverage of transvaginal ultrasounds when recommended by nationally recognized clinical practice guidelines.	Passed Assembly
A.6126-A/Hunter S.5242-A/Breslin	Would authorize life and health insurance policies that offer disability insurance to reduce benefits due to the actual or anticipated receipt of social security disability benefits or other disability benefits only if the insurer notifies the insured that they may qualify for such benefits and to pursue such benefits	Vetoed

	through any required administrative appeals the insurer has a reasonable, good faith belief that the insured is entitled to such benefits and a means of reasonably estimating the amount payable, the insurer makes a good faith effort to assist the insured in applying for such benefits, and the insured fails to apply for, or pursue, such benefits with reasonable diligence during the application process or any required appeals.	
A.6173/Bronson S.6362/Brouk	Would require commercial health insurance policies to provide coverage of outpatient care provided by licensed creative arts therapists.	Passed Assembly
A.6345/Weprin S.1470/Breslin	Would prohibit health insurers from imposing cost-sharing for physical therapy that is greater than the cost-sharing for office visits of a licensed primary care physician for the same or a similar diagnosed condition.	Vetoed
A.6425-A/O'Donnell S.7114-A/Rivera	Would require commercial health insurance policies to provide coverage of two epinephrine auto-injector devices for the emergency treatment of life-threatening allergic reactions with an annual copayment cap of \$100.	Signed Chapter 553 of the Laws of 2024
A.6867-B/Rosenthal S.7416-B/Gianaris	Would prohibit an insurer from cancelling, refusing to issue or renew, increasing the premium of a renters insurance policy or excluding, limiting, restricting or reducing coverage based solely upon a policyholder's harboring or owning any dog of a specific breed or mixture of breeds.	Advanced to Third Reading Calendar
A.7268-A/Weprin S.3400-A/Breslin	Would require health insurers to utilize recognized evidence-based and peer reviewed clinical review criteria that takes into account the needs of a typical patient population and diagnoses, make a pre-authorization determination within 72 hours of receipt of necessary information, and within 24 hours for requests from insured with a medical condition that places the health of the insured in serious jeopardy without the recommended health care services, and to make a prior authorization approval be valid for the duration of a prescription and the duration of treatment for a specific condition.	Reported to Rules

A.7790-A/Solages S.6674-A/Hoylman-Sigal	Required commercial health insurance policies to provide coverage of the outpatient use of pasteurized donor human milk.	Signed Chapter 422 of the Laws of 2024
A.7862-A/Weprin S.7577-A/Breslin	Would prohibit insurers that issue dental insurance policies from setting prices for dental services that are not covered under the policies they issue.	Vetoed
A.7910-A/Weprin	Would prohibit an insurer of residential property from inquiring about, cancelling, refusing to issue or renew or increasing the premium of a policy, or excluding, limiting, restricting, or reducing coverage under a policy based on the level or source of income of the tenants or the real property owner, whether the building contains units that must be affordable to residents at a specific income level pursuant to a statute, regulation, regulatory agreement or restrictive declaration with a local, state, or federal government entity, whether the property owner or tenants receive rental assistance provided by a local, state, or federal government entity, wherein the tenant's portion of the rent is limited to a percentage of their income, or on whether the building is owned by a limited-equity cooperative, a public housing authority or by a cooperative housing corporation.	Advanced to Third Reading Calendar
A.8212/Weprin S.1469/Breslin	Would remove the requirement that insurance business be underwritten and transacted from an office within the state to be eligible for placement in the Free Trade Zone.	Reported to Rules
A.8276/Hunter S.7845/Breslin	Would standardize the definitions and policy disclosures required in pet insurance policies issued under the insurance law and would create training, licensure, and sales practices requirements for insurance producers that sell pet insurance.	Vetoed
A.8304-B/Weprin S.7748-C/Breslin	Authorized licensed wireless communication equipment vendors to sell policies of wireless communication equipment insurance with service contracts under wireless communications equipment protection plans.	Signed Chapter 386 of the Laws of 2024
A.8500/Weprin S.8018/Breslin	Amended Chapter 767 of the Laws of 2023 to provide technical amendments, specify that the law applies to drivers' New York State driving history, and remove the requirement that auto insurers	Signed Chapter 80 of the Laws of 2024

	verify the driving history of all drivers at policy renewal.	
A.8501/McDonald S.8038/Breslin	Required notices of adverse determinations for step therapy protocol override requests to include the reasons for the determination, including clinical rationale, instructions on how to initiate standard, expedited and external appeals, notice of the availability, upon request of the insured or the insured's designee, of the clinical review criteria relied upon to make such determination and what, if any, additional necessary information must be provided to, or obtained by, the utilization review agent in order to render a decision on appeal.	Signed Chapter 28 of the Laws of 2024
A.8502/Hunter S.8040/Persaud	Required commercial health insurance policies provide coverage of biomarker precision medical tests whose efficacy and appropriateness are recognized by peer-reviewed literature and peer-reviewed scientific studies published in or accepted for publication by medical journals that meet nationally recognized requirements.	Signed Chapter 29 of the Laws of 2024
A.8503/Jacobson S.8030/Skoufis	Amended Chapter 751 of the Laws of 2023 to remove reference to self-insurance policies, specify that supplemental uninsured/ underinsured motorist (SUM) insurance coverage shall apply to police vehicles that are principally garage or used in this state and remove the requirement that SUM coverage be no less than the bodily injury liability insurance limits of the policy.	Signed Chapter 30 of the Laws of 2024
A.8504/Meeks S.8019/Breslin	Amended Chapter 768 of the Laws of 2023 to include stress management programs as eligible wellness program, specify that a “wellness program” shall not include limited benefits health insurance, require life insurers to disclose to applicants that the program is not health insurance, and allow wellness program participants to receive monetary rewards in the form of gift cards, gift certificates, vouchers, or discounts on products or services in return for engaging in healthy behaviors.	Signed Chapter 3 of the Laws of 2024
A.8505/Kelles S.8053/Webb	Amended Chapter 438 of the Laws of 2023 to allow RRGs to only issue automobile liability policies to vehicles registered by not-for-profits that do not have a seating capacity of more than 15 passengers,	Signed Chapter 14 of the Laws of 2024

	are not a limousine or luxury limousine, are not solely for personal use by a director, officer, authorized person, or key person, their relatives or related parties. It amended the purview of the study to be conducted by the Department of Financial Services (DFS) and Department of Motor Vehicles (DMV), required the study be delivered to the governor and legislature no later than September 1, 2027, required RRGs to submit necessary information to DFS, upon the superintendent's request, and delayed the effective date of Chapter 438 of the Laws of 2023 to March 1, 2024.	
A.8518/Stern S.8004/Skoufis	Required that property and casualty insurance claims that are submitted due to the occurrence of a natural disaster or a disaster caused by an act of terrorism, which result in the declaration of a local, state, or federal state of emergency, shall be subject to the prompt investigation and settlement of claims provisions of this law. Insurers must advise non-commercial claimants in writing whether their claim has been accepted or rejected within 15 business days of the insurer's receipt of a properly executed proof of loss and receipt of all items, statements and forms requested from the claimant or the claimant's authorized representative. An insurer may elect for an optional 15 business day extension to determine whether the non-commercial claim should be accepted or rejected, but must notify the claimant, or the claimant's authorized representative, the reasons additional time is needed for the investigation. An insurer that suspects that a non-commercial claim involves arson may have an optional 30 business day extension. Insurers that are prohibited from physically accessing a non-commercial claimant's property to investigate their claim may have an additional 15 business day extensions until the insurer can access the property. Once the insurer can physically access the property, it has 15 days to adjudicate the claim. If the insurer elects to utilize extensions, it shall notify the claimant, or the claimant's authorized representative, every 15 days the reasons additional time is needed for the investigation.	Signed Chapter 8 of the Laws of 2024

A.8576/McDonald	Would prohibit insurers, corporations, and HMOs from imposing a charge or deducting a reimbursement payment to a provider because such payment is made through electronic or paper means.	Reported to Rules
A.8831/Berger S.3547/Sanders	Would repeal a requirement that consumers seeking to purchase or renew policies covering multi-family dwellings in New York City complete an anti-arson application for their coverage to be effective.	Passed Assembly
A.8834-B/Weprin S.8144-C/Breslin	Prohibited an insurer from refusing to insure, refusing to continue to insure or limiting the amount, extent or kind of coverage available to an individual or charging a different rate for the same coverage solely because the insured or potential insured was prescribed PrEP medication for the prevention of HIV infection.	Signed Chapter 126 of the Laws of 2024
A.8942/Weprin S.8167/Breslin	Would direct the DFS to conduct a study to examine any increases in property insurance premiums that may affect the affordability of property insurance coverage, any lack of availability of property insurance coverage of losses from flooding in New York state, and the possibility of supporting a private flood insurance market in the state.	Vetoed
A.9019-A/Woerner S.8414-A/Breslin	Would require contracts between health insurers and their network providers to include terms which prescribe the permissible payment methods used to reimburse the provider without any associated charges or fees, the advance written consent of a provider to the insurer to utilize a certain method of payment, and the insurer's annual obligation to provide the health care provider with an updated payment rate schedule.	Ordered to Third Reading Calendar
A.9099/Anderson S.8432/Comrie	Would direct the DFS to implement a captive insurance program for commuter vans, pre-arranged for-hire vehicles, and accessible vehicles that are engaged in the business of carrying or transporting passengers for hire.	Vetoed
A.9407-A/Weprin S.9021-A/Breslin	Amended the supplemental spousal liability insurance requirements under the insurance law by making such coverage an opt-out endorsement only for insureds that indicate on an application for insurance that they have a spouse. In addition, this law required insurers to provide supplemental	Signed Chapter 356 of the Laws of 2024

	spousal liability insurance to insureds upon written request. Also required insurers to notify insureds upon policy issuance, renewal or amendment whether their policy includes supplemental spousal liability coverage or, if not, the availability of such coverage.	
A.9539/Eichenstein S.8957/Hoylman-Sigal	Would require commercial health insurance policies to provide coverage of a chosen provider for insureds that are deemed to have a rare disease, life-threatening condition or disease, degenerative and disabling condition or if the insured is a medically fragile child, if the costs of the chosen provider are equal to or less than the average cost that would be paid to an in-network provider, if the patient's treating specialist or primary care physician provides a written statement to recommend the chosen provider for the particular disease, and the chosen provider is accredited or designated as having special expertise in treating, or has demonstrated clinical focus in the area of the confirmed diagnosis.	Ordered to Third Reading Calendar
A.9564-B/Gunther S.8749-A/Breslin	Extended the effective date of "Lauren's Law" from June 2024 to January 1, 2026. Chapter 758 of the Laws of 2022 and Chapter 29 of the Laws of 2023 established "Lauren's Law", which, when effective, will require health insurance enrollment, renewal or initial online portal process setup forms to provide space for a question asking whether insureds or applicants for insurance want to register for the Donate for Life Registry.	Signed Chapter 159 of the Laws of 2024
A.9821/Otis S.8320-A/Mayer	Would expand eligibility for the Coastal Market Assistance Program (C-MAP) to properties located within one mile of a salt-water ocean, sound, bay, inlet, Lake Erie, Lake Ontario, the Saint Lawrence River or the Niagara River with distance measured from mean high water, or more expansive eligibility standards for participation in the coastal market assistance program as determined by the New York Property Insurance Underwriting Association.	Signed Chapter 582 of the Laws of 2024
A.9968/Woerner S.9153/Breslin	Extended until December 31, 2027, provisions of the insurance law that authorize HMOs to sell high deductible health plans in conjunction with a Health Reimbursement Account or Health Savings Account	Signed Chapter 402 of the Laws of 2024

	to towns in the state.	
A.10342/Burgos S.9481/Mayer	Authorized the sale of business interruption insurance, which is defined as insurance against loss of use and occupancy, rents, and profits resulting from a business closure due to loss or damage to insured or neighboring property, an act or threatened act of violence while the perpetrator is on the business premises or a government order.	Signed Chapter 369 of the Laws of 2024
A.10343/Weprin S.9421/Breslin	Would prohibit non-commercial real property insurance policies that provide coverage of loss or damage resulting from water or water born material that backs up through sewers or drains, or overflows or is discharged from a sump, sump pump, or related equipment, from excluding such coverage on the ground that such loss or damage may have been caused directly or indirectly by an excluded peril contributing concurrently or in any sequence to cause the loss.	Vetoed
A.10344/Sillitti S.9420/Skoufis	Would authorize the sale of parametric insurance, which is defined as insurance against the occurrence of a weather-related event, such as windstorm, flood, snow, wildfire, tornado, cyclone, or earthquake, where the indemnification is based on the proximity and magnitude of the event as measured and reported by a state or federal government agency.	Signed Chapter 569 of the Laws of 2024
A.10362-B/Wallace S.9327-B/Ryan	Authorized the Department of Transportation, The State University of New York at Buffalo, and the Niagara Frontier Transportation Authority to utilize owner-controlled and contractor-controlled insurance programs in connection with the construction or reconstruction of the Kensington Expressway and the Humboldt Parkway, the construction of the Empire AI Research Institute, and the construction to extend or expand the railroad in the Niagara Frontier transportation district, respectively. To utilize owner-controlled and contractor-controlled insurance programs, such projects must have an estimated cost of no less than \$5 million or be subject to an owner-controlled insurance program that is undertaken pursuant to a	Signed Chapter 370 of the Laws of 2024



	project labor agreement.	
A.10461/Simone S.9842/Hoylman-Sigal	Clarified language in the insurance law that prohibits insurers from requiring copayments for prescriptions of PrEP if the drug has in effect a rating of 'A' or 'B' in the current recommendations of the United States Preventive Services Task Force.	Signed Chapter 180 of the Laws of 2024

## APPENDIX D

### BILLS VETOED IN 2024

Bill/ Sponsor	Description	Final Action
A.1231-A Lunsford S.2798-B Breslin	Would allow service contract providers to purchase multiple policies of service contract reimbursement insurance.	Veto Memo #19
A.6126-A/Hunter S.5242-A/Breslin	Would authorize life and health insurance policies that offer disability insurance to reduce benefits due to the actual or anticipated receipt of social security disability benefits or other disability benefits only if the insurer notifies the insured that they may qualify for such benefits and to pursue such benefits through any required administrative appeals the insurer has a reasonable, good faith belief that the insured is entitled to such benefits and a means of reasonably estimating the amount payable, the insurer makes a good faith effort to assist the insured in applying for such benefits, and the insured fails to apply for, or pursue, such benefits with reasonable diligence during the application process or any required appeals.	Veto Memo #33
A.6345/Weprin S.1470/Breslin	Would prohibit health insurers from imposing cost-sharing for physical therapy that is greater than the cost-sharing for office visits of a licensed primary care physician for the same or a similar diagnosed condition.	Veto Memo #94
A.7862-A/Weprin S.7577-A/Breslin	Would prohibit insurers that issue dental insurance policies from setting prices for dental services that are not covered under the policies they issue.	Veto Memo #38
A.8276/Hunter S.7845/Breslin	Would standardize the definitions and policy disclosures required in pet insurance policies issued under the insurance law and would create training, licensure, and sales practices requirements for insurance producers that sell pet insurance.	Veto Memo #39
A.8942/Weprin S.8167/Breslin	Would direct the DFS to conduct a study to examine any increases in property insurance premiums that may affect the affordability of	Veto Memo #68

	property insurance coverage, any lack of availability of property insurance coverage of losses from flooding in New York state, and the possibility of supporting a private flood insurance market in the state.	
A.9099/ Anderson S.8432/Comrie	Would direct the DFS to implement a captive insurance program for commuter vans, pre-arranged for-hire vehicles, and accessible vehicles that are engaged in the business of carrying or transporting passengers for hire.	Veto Memo #83
A.10343/Weprin S.9421/Breslin	Would prohibit non-commercial real property insurance policies that provide coverage of loss or damage resulting from water or water born material that backs up through sewers or drains, or overflows or is discharged from a sump, sump pump, or related equipment, from excluding such coverage on the ground that such loss or damage may have been caused directly or indirectly by an excluded peril contributing concurrently or in any sequence to cause the loss.	Veto Memo #47