

647

2019-2020 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2019

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Introduced by Sen. BOYLE -- 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 prohibiting insurance coverage for physician assisted suicide

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Section 3216 of the insurance law is amended by adding a  
2 new subsection (n) to read as follows:

3     (N) (1) NO POLICY DELIVERED OR ISSUED FOR DELIVERY IN THIS STATE SHALL  
4 PROVIDE COVERAGE FOR PHYSICIAN-ASSISTED SUICIDE, INCLUDING BUT NOT  
5 LIMITED TO, COVERAGE FOR ANY AID-IN-DYING PRESCRIPTION DRUG.

6     (2) FOR PURPOSES OF THIS SUBSECTION "PHYSICIAN-ASSISTED SUICIDE" SHALL  
7 MEAN THE VOLUNTARY TERMINATION OF ONE'S OWN LIFE BY ADMINISTRATION OF A  
8 LETHAL SUBSTANCE WITH THE DIRECT OR INDIRECT ASSISTANCE OF A PHYSICIAN  
9 AND "AID-IN-DYING PRESCRIPTION DRUG" SHALL MEAN A DRUG DETERMINED AND  
10 PRESCRIBED BY A PHYSICIAN WHICH AN INDIVIDUAL MAY CHOOSE TO SELF-ADMIN-  
11 ISTER TO BRING ABOUT HIS OR HER DEATH.

12     § 2. Section 3221 of the insurance law is amended by adding a new  
13 subsection (t) to read as follows:

14     (T) (1) NO POLICY OF GROUP OR BLANKET ACCIDENT AND HEALTH INSURANCE  
15 SHALL PROVIDE COVERAGE FOR PHYSICIAN-ASSISTED SUICIDE, INCLUDING BUT NOT  
16 LIMITED TO, COVERAGE FOR ANY AID-IN-DYING PRESCRIPTION DRUGS.

17     (2) FOR PURPOSES OF THIS SUBSECTION "PHYSICIAN-ASSISTED SUICIDE" SHALL  
18 MEAN VOLUNTARY TERMINATION OF ONE'S OWN LIFE BY ADMINISTRATION OF A  
19 LETHAL SUBSTANCE WITH THE DIRECT OR INDIRECT ASSISTANCE OF A PHYSICIAN  
20 AND "AID-IN-DYING PRESCRIPTION DRUG" SHALL MEAN A DRUG DETERMINED AND  
21 PRESCRIBED BY A PHYSICIAN WHICH AN INDIVIDUAL MAY CHOOSE TO SELF-ADMIN-  
22 ISTER TO BRING ABOUT HIS OR HER DEATH.

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

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

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1 (SS) (1) NO CONTRACT ISSUED BY A MEDICAL EXPENSE INDEMNITY CORPO-  
2 RATION, HOSPITAL SERVICE CORPORATION OR HEALTH SERVICE CORPORATION SHALL  
3 PROVIDE COVERAGE FOR PHYSICIAN-ASSISTED SUICIDE, INCLUDING BUT NOT  
4 LIMITED TO, COVERAGE FOR ANY AID-IN-DYING PRESCRIPTION DRUGS.  
5 (2) FOR PURPOSES OF THIS SUBSECTION "PHYSICIAN-ASSISTED SUICIDE" SHALL  
6 MEAN VOLUNTARY TERMINATION OF ONE'S OWN LIFE BY ADMINISTRATION OF A  
7 LETHAL SUBSTANCE WITH THE DIRECT OR INDIRECT ASSISTANCE OF A PHYSICIAN  
8 AND "AID-IN-DYING PRESCRIPTION DRUG" SHALL MEAN A DRUG DETERMINED AND  
9 PRESCRIBED BY A PHYSICIAN WHICH AN INDIVIDUAL MAY CHOOSE TO SELF-ADMIN-  
10 ISTER TO BRING ABOUT HIS OR HER DEATH.  
11 § 4. This act shall take effect immediately and shall apply to all  
12 contracts entered into, renewed, modified or amended on or after such  
13 effective date.