



2020 ANNUAL REPORT

NEW YORK STATE SENATE STANDING COMMITTEE ON INSURANCE



Senator Neil D. Breslin
Chair

**THE SENATE
STATE OF NEW YORK**

VICE PRESIDENT PRO TEMPORE

CHAIR

INSURANCE COMMITTEE

CO-CHAIR

LEGISLATIVE ETHICS COMMISSION

MEMBER

LEGISLATIVE COMMISSION ON RURAL
RESOURCES



NEIL D. BRESLIN

SENATOR, 44TH DISTRICT

COMMITTEES

BANKS

ETHICS AND INTERNAL GOVERNANCE

FINANCE

HIGHER EDUCATION

JUDICIARY

RULES

December 21, 2020

The Honorable Andrea Stewart-Cousins
Temporary President and Majority Leader
New York State Senate
Albany, NY 12247

Dear Senator Stewart-Cousins:

I am pleased to transmit the Annual Report of the Senate's Standing Committee on Insurance for the 2020 Legislative Session. As Chair, I am proud to continue to lead our efforts to address important matters under my committee's jurisdiction,

During the 2020 session, this committee met 4 times in session and reported 19 bills.

I thank my colleagues who served on the Committee for their efforts and support of the work that was done in the committee this year, and I thank you for the continued support from the Majority Conference in the committee's operations.

Sincerely,

A handwritten signature in black ink that reads "Neil D. Breslin".

Neil D. Breslin
Member of Senate

2020 LEGISLATIVE SESSION REPORT
NEW YORK STATE SENATE
STANDING COMMITTEE ON INSURANCE

Senator NEIL D. BRESLIN, Chairperson

Committee Members

JOHN BROOKS DAVID CARLUCCI TIMOTHY KENNEDY MONICA MARTINEZ JAMES SANDERS KEVIN PARKER	MICHAEL RAZENHOFFER SUE SERINO JAMES SEWARD ROBERT ORTT
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Committee Staff

EVAN SCHNEIDER, COMMITTEE DIRECTOR
ELIZABETH NOWICKI, COMMITTEE COUNSEL
BECKI RAPPAZZO, COMMITTEE CLERK

COMMITTEE JURISDICTION AND OVERVIEW

The New York State Senate Standing Committee on INSURANCE has legislative oversight responsibilities for issues concerning all areas of insurance including health, property/casualty and life.

During the 2020 Legislative Session, 151 bills were referred to the Committee for its review. Of these bills, 18 were reported from the Committee. 15 were passed by the Senate, and 4 passed in both houses. This work was conducted through a series of 4 committee meetings. A list of all bills that were reported from the committee is provided at the end of this report.

COMMITTEE HIGHLIGHTS

The following key bills were acted on by the committee in 2020:

- **S3159a** - Prohibits unfair discrimination by insurers for individuals that use prescriptions to block the effects of opioids.
- **S.3664a** - Prohibits the imposition of different premium rates for disability insurance based on gender.
- **S.5145** - Designates an independent consumer assistance program, their duties, and requires that New York state regulated health plans provide contact information of the state independent consumer assistance programs to consumers.
- **S.7159** - The purpose of this legislation is to provide individuals with accurate medical insurance coverage notices. Medical insurance companies send individuals letters that conspicuously state that their medical coverage for a procedure or therapy has been denied; however, when looking closer at the notice, the coverage is actually partially approved. This legislation aims to end this deceptive practice and to require medical insurance companies to provide coverage letters with accurate coverage information.
- **S8255** - Reduces the cap on cost sharing for insulin from the current \$100 per insulin per month to \$30 per insulin per month.
- **S769a** - Relates to permitting certain insurance coverage to be placed by licensed excess line brokers with excess line insurers without regard to the diligent effort requirement.

TWO HOUSE BILLS

In 2020, 4 of the 151 bills referred to the Standing Committee on INSURANCE passed both houses of the Legislature. Of these bills, the Governor has signed 3 and vetoed 0.

Bill	Sponsor	Summary	Action
S.3159	HARKHAM	Prohibits unfair discrimination by insurers for individuals that use prescriptions to block the effects of opioids	Chapter 228
S.4081	SKOUFIS	Relates to the authority of assessment corporations to write insurance	Delivered to Governor
S.3688a	LAVALLE	Relates to liability insurance rate reductions upon completion of a boating safety course or an advanced boating safety course	Chapter 41
S.7881	COMRIE	Relates to the for-hire motor vehicle safety program and the reduction in rates of certain commercial risk insurance premiums for motor vehicles	Chapter 51

SUMMARY OF COMMITTEE ACTIVITY

Bill	Sponsor	Summary	Significant Action
S643	Breslin	Permits an insurer to rescind or retroactively cancel a policy in circumstance involving an accident staged to defraud an insurer.	Passed Senate
S3159a	Harkham	Prohibits unfair discrimination by insurers for individuals that use prescriptions to block the effects of opioids	Chapter 228
S3736	Breslin	Relates to extending the exemption from filing requirements only with respect to rates and policy forms to out of state businesses	Passed Senate
S6728	Breslin	Provides for a study regarding insurance or other risk mitigation tools and third-party payroll service providers	Passed Senate
S769a	Breslin	Relates to permitting certain insurance coverage to be placed by licensed excess line brokers with excess line insurers without regard to the diligent effort requirement	Passed Senate
S1603	Breslin	Relates to medical malpractice excess line insurance	Passed Senate
S3664b	Gianaris	Prohibits the imposition of different premium rates for disability insurance based on gender	Passed Senate
S4081	Skoufis	Relates to the authority of assessment corporations to write insurance	Delivered to Governor
S5735	Breslin	Permits insurers to make available multiple rating programs for commercial insurance within the same company	3rd Reading
S1408a	Breslin	Authorizes all municipalities to join a	3rd Reading

S3526	Breslin	<p>county self-funded or self-insured health plan</p> <p>Authorizes payments to nonparticipating or nonpreferred providers of ambulance services licensed under article 30 of the public health law</p>	3rd Reading
S4066	Biaggi	<p>Authorizes health insurers to provide actuarially appropriate reductions in health insurance premiums for participation in a wellness program</p>	Passed Senate
S5145	Rivera	<p>Relates to the designation of an independent consumer assistance program</p>	3rd Reading
S3688a	LaValle	<p>Relates to liability insurance rate reductions upon completion of a boating safety course or an advanced boating safety course</p>	Chapter 41
S4454a	Brooks	<p>Relates to continuing education for licensed persons and qualifications for independent adjusters</p>	Passed Senate
S7159	Jackson	<p>Requires specification between partial approval of medical claims and full denial of medical claims on written notices to an insurer</p>	Passed Senate
S7881	Comrie	<p>Relates to the for-hire motor vehicle safety program and the reduction in rates of certain commercial risk insurance premiums for motor vehicles</p>	Chapter 51
S7924	Martinez	<p>Prohibits insurers from refusing to issue or renew, cancel, or charge or impose an increased premium for certain policies based solely on the breed of dog owned</p>	Held in Committee
S8255	Rivera	<p>Relates to capping cost sharing for insulin</p>	Passed Senate



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