

S09080 Summary:

BILL NO S09080B

SAME AS SAME AS

SPONSOR HINCHEY

COSPNSR BIAGGI, BROUK, CLEARE, COONEY, GAUGHRAN, JACKSON, KAPLAN, LIU, MAY, MAYER, RIVERA

MLTSPNSR

Add §3436-a, Ins L

Prohibits medical malpractice insurance companies from taking any adverse action against an abortion or reproductive health care provider who performs an abortion or provides reproductive health care that is legal in the state of New York on someone who is from out of the state.

S09080 Actions:

BILL NO S09080B

05/09/2022 REFERRED TO INSURANCE
 05/12/2022 AMEND AND RECOMMIT TO INSURANCE
 05/12/2022 PRINT NUMBER 9080A
 05/28/2022 AMEND AND RECOMMIT TO INSURANCE
 05/28/2022 PRINT NUMBER 9080B
 05/31/2022 COMMITTEE DISCHARGED AND COMMITTED TO RULES
 05/31/2022 ORDERED TO THIRD READING CAL.1625
 05/31/2022 PASSED SENATE
 05/31/2022 DELIVERED TO ASSEMBLY
 05/31/2022 referred to ways and means
 06/02/2022 substituted for a9718b
 06/02/2022 ordered to third reading rules cal.626
 06/02/2022 passed assembly
 06/02/2022 returned to senate
 06/13/2022 DELIVERED TO GOVERNOR
 06/13/2022 SIGNED CHAP.221

S09080 Committee Votes:

S09080 Floor Votes:

DATE: 06/02/2022 Assembly Vote										YEA/NAY: 103/46	
Abbate	Y	Chandler-Waterm	Y	Forrest	Y	Joyner	Y	O'Donnell	Y	Simon	Y
Abinanti	Y	Clark	Y	Friend	NO	Kelles	Y	Otis	Y	Simpson	NO
Anderson	Y	Colton	Y	Frontus	Y	Kim	Y	Palmesano	NO	Smith	NO
Angelino	NO	Conrad	Y	Galef	Y	Lalor	NO	Paulin	Y	Smullen	NO
Ashby	NO	Cook	Y	Gallagher	Y	Lavine	Y	Peoples-Stokes	Y	Solages	Y
Aubry	Y	Cruz	Y	Gallahan	NO	Lawler	NO	Pheffer Amato	Y	Steck	Y
Barclay	NO	Cunningham	Y	Gandolfo	NO	Lemondes	NO	Pretlow	Y	Stern	Y
Barnwell	NO	Cusick	Y	Gibbs	Y	Lucas	Y	Quart	Y	Stirpe	Y
Barrett	Y	Cymbrowitz	Y	Giglio JA	NO	Lunsford	Y	Ra	NO	Tague	NO
Benedetto	Y	Darling	Y	Giglio JM	NO	Lupardo	Y	Rajkumar	Y	Tannousis	NO
Bichotte	Y	Davila	Y	Glick	Y	Magnarelli	Y	Ramos	Y	Tapia	Y
Blankenbush	NO	De Los Santos	Y	Gonzalez-Rojas	Y	Mamdani	Y	Reilly	NO	Taylor	Y
Brabenec	NO	DeStefano	NO	Goodell	NO	Manktelow	NO	Reyes	Y	Thiele	Y
Braunstein	Y	Dickens	Y	Gottfried	Y	McDonald	Y	Rivera J	Y	Vanel	Y
Bronson	Y	Dilan	Y	Griffin	Y	McDonough	NO	Rivera JD	Y	Walczyk	NO
Brown E	NO	Dinowitz	Y	Gunther	Y	McMahon	Y	Rosenthal D	Y	Walker	Y
Brown K	NO	DiPietro	NO	Hawley	NO	Meeks	Y	Rosenthal L	Y	Wallace	Y
Burdick	Y	Durso	NO	Hevesi	Y	Mikulin	NO	Rozic	Y	Walsh	NO
Burgos	Y	Eichenstein	NO	Hunter	Y	Miller	NO	Salka	NO	Weinstein	Y
Burke	Y	Englebright	Y	Hyndman	Y	Mitaynes	Y	Santabarbara	ER	Weprin	Y
Buttenschon	NO	Epstein	Y	Jackson	Y	Montesano	NO	Sayegh	Y	Williams	Y
Byrne	NO	Fahy	Y	Jacobson	Y	Morinello	NO	Schmitt	NO	Woerner	Y
Byrnes	NO	Fall	Y	Jean-Pierre	Y	Niou	Y	Seawright	Y	Zebrowski	Y
Cahill	Y	Fernandez	Y	Jensen	NO	Nolan	Y	Septimo	Y	Zinerman	Y
Carroll	Y	Fitzpatrick	NO	Jones	Y	Norris	NO	Sillitti	Y	Mr. Speaker	Y

S09080 Text:**STATE OF NEW YORK**

9080--B

IN SENATE

May 9, 2022

Introduced by Sens. HINCHEY, CLEARE, COONEY, JACKSON, LIU, MAY, MAYER, RIVERA -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to prohibiting medical malpractice insurance companies from taking any adverse action against a reproductive health care provider who provides legal reproductive health care

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

- 1 Section 1. The insurance law is amended by adding a new section 3436-a
- 2 to read as follows:
- 3 § 3436-a. 1. Adverse action against legal reproductive health care.
- 4 Every insurer which issues or renews medical malpractice insurance
- 5 covering a health care provider licensed to practice in this state shall
- 6 be prohibited from taking any adverse action against a health care
- 7 provider solely on the basis that the health care provider performs an
- 8 abortion or provides reproductive health care that is legal in the state
- 9 of New York on someone who is from out of the state. Such policy shall
- 10 include health care providers who legally prescribe abortion medication
- 11 to out-of-state patients by means of telehealth.
- 12 2. As used in this section, "adverse action" shall mean but not be
- 13 limited to: (a) refusing to renew or execute a contract or agreement
- 14 with a health care provider; (b) making a report or commenting to an
- 15 appropriate private or governmental entity regarding practices of such
- 16 provider which may violate abortion laws in other states; and (c)
- 17 increasing in any charge for, or a reduction or other adverse or unfa-
- 18 vorable change in the terms of coverage or amount for, any medical malp-
- 19 ractice insurance contract or agreement with a health care provider.
- 20 § 2. This act shall take effect immediately.

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

LBD15073-06-2