

# S.2063 (Stavisky)/A.38 (L.Rosenthal)

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<b>BILL</b> S.2063 (Stavisky)/A.38 (L.Rosenthal)
<b>SUBJECT</b> Mandated Coverage for Scalp Cooling Treatment
<b>DATE</b> May 07, 2024
<b>OPPOSE</b>

The Business Council opposes S.2063 (Stavisky)/A.38 (L.Rosenthal) which mandates state regulated insurance plans to provide coverage for scalp cooling treatment during chemotherapy treatment.

New health insurance coverage mandates, like this, result in increased costs for employees and employers who purchase private health insurance in New York. These costs fall disproportionately on small and medium-sized businesses who purchase private insurance plans. Mandates like this only apply to fully insured policies that are either purchased by individuals on the marketplace or received through a small or medium-sized business; they do not mandate coverage under self-insured health plans.

In New York, more than 50% of the commercial market is covered under a self-insured plan. Large companies generally self-insure, which allows them to customize a plan to meet the specific needs of their employees, contract with providers or provider networks, and directly pay claims to providers. But importantly, self-insured health plans are regulated under federal law (ERISA) and not subject to state health insurance benefit mandates.

Additional health insurance coverage mandates, no matter how laudable, are another cost on small and medium-sized businesses, and another challenge they face as they seek to provide their employees with affordable health care coverage.

For these reasons, The Business Council opposes the passage of S.2063 (Stavisky)/A.38 (L.Rosenthal).