

S.1196 (Persaud)/A.1673 (Hunter)

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BILL S.1196 (Persaud)/A.1673 (Hunter)
SUBJECT Biomarker Coverage Mandate
DATE May 18, 2023
OPPOSE

The Business Council opposes S.1196 (Persaud)/A.1673 (Hunter) which mandates state regulated insurance plans to provide coverage for biomarker testing. This legislation is another cost on small businesses, who primarily are impacted by health insurance coverage mandates.

New health insurance coverage mandates 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.

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.

In New York, more than 50% of the commercial market is covered under a self-insured plan. These mandates only impact small businesses and their employees that make up the other portion of the commercial market. While the merits of any single mandate may be sound and not overwhelming alone, the collective imposition of over three dozen unfunded mandates on private insurance purchased by small businesses significantly drives up costs.

For the reasons, The Business Council opposes the passage of S.1196 (Persaud)/A.1673 (Hunter).

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