

A09149 • New York

Provides for notice requirements where an insurer authorized to write accident and health insurance in this state, a corporation organized pursuant to article forty-three of this chapter, or a health maintenance organization certified pursuant to article forty-four of the public health law uses...

Introduced

Risk: High

Comprehensive

Effective: Apr 08, 2024 | Last Action (Feb 08, 2024): referred to insurance

Summary

This bill mandates insurers to notify insureds about the use of AI in utilization reviews and requires submission of AI algorithms to the department.

Business Impact

If you are an insurer using AI for utilization reviews in New York, you must notify insureds and submit AI algorithms by the effective date or face penalties.

Key Provisions

- Insurers must notify insureds about AI usage in utilization reviews on their websites.
- Submission of AI algorithms and training data sets to the department is required.
- The department will certify algorithms to minimize bias based on various demographics.
- Clinical peer reviewers must document individual clinical records before adverse determinations.
- Penalties for non-compliance include fines and potential license suspension or revocation, determined by the superintendent.
- The superintendent will create necessary rules for implementation.

Compliance Checklist

- Notify insureds about AI usage in utilization reviews on your website | Who: Insurers and health maintenance organizations | Penalty: Fines up to \$10,000 for willful violations

- Submit AI algorithms and training data sets to the department | Who: Insurers and health maintenance organizations | Penalty: Fines and potential license suspension

Industries Affected

Insurance

Healthcare

Health Insurance

Topics

AI Healthcare

AI in Insurance

Bill Sponsors

| Name | Party | Role |
|---------------|-------|---------|
| Pamela Hunter | D | Sponsor |

Related Bills

- A01456 (NY)

Official Source

<https://www.nysenate.gov/legislation/bills/2023/A9149>

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