

March 31, 2025

Jessica Scarcella-Spanton
New York Senate
Legislative Office Building, RM 167
Albany, NY 12247
spanton@nyenate.gov

Via Electronic Correspondence

Re: Senate Bill S.5209

Dear Senator Scarcella-Spanton:

On behalf of the NY Step Therapy Alliance, composed of stakeholder members across several disease communities including immunology, neurology, oncology, and autoimmune disorders, we write in support of S.5209, an act that limits the look-back period for insurance overpayment recovery from health care providers to three months.

In 2019, nearly half of all New York adults who needed health care encountered at least one barrier to receiving care, such as delayed doctor visits, skipped tests or procedures, or rationed medications.¹ National surveys indicate these challenges persist today.² Given these obstacles, it is critical that health insurers provide reliable coverage when patients access care. Consumers base health care decisions on financial considerations, trusting that health plans will honor coverage commitments. Likewise, health care providers deliver care with the expectation that insurers will fulfill their coverage obligations. However, when health plans retroactively deny claims—sometimes months or years later—providers are burdened with the administrative task of sifting through records to justify previously approved claims. If insurers refuse payment, providers may have no choice but to pass these costs on to patients.

S.5209 would prohibit health plans from retroactively denying a claim if more than three months have passed since paying for an item or service. The undersigned organizations support this legislation, as it establishes clear reimbursement standards for providers and prevents retroactive denials long after care has been delivered. By limiting this look-back period, this bill protects consumers from unexpected health care costs and ensures providers can continue delivering necessary care without facing undue financial claw backs. We urge you to swiftly pass this legislation and improve health care affordability for New York patients and providers.

Sincerely,

Aimed Alliance
Sarcoidosis of Long Island
Lupus and Allied Diseases Association, Inc.
FORCE: Facing Our Risk of Cancer Empowered
Cerebral Palsy Associations of NYS
Medical Society of the State of New York

¹ Altarum, *New Yorkers Struggle to Afford High Healthcare Costs; Support a Range of Government Solutions Across Party Lines*, Healthcare Value Hub (Mar. 2019), [https://www.healthcarevaluehub.org/advocate-resources/publications/new-yorkers-struggle-afford-high-healthcare-costs-support-range-government-solutions-across-party-lines#:~:text=Nearly%20half%20\(45%25\)%20of,recommended%20medical%20test%20or%20treatment](https://www.healthcarevaluehub.org/advocate-resources/publications/new-yorkers-struggle-afford-high-healthcare-costs-support-range-government-solutions-across-party-lines#:~:text=Nearly%20half%20(45%25)%20of,recommended%20medical%20test%20or%20treatment).

² KFF, *Americans' Challenges with Health Care Costs*, <https://www.kff.org/health-costs/issue-brief/americans-challenges-with-health-care-costs/>.