

MEMORANDUM OF SUPPORT

ALLOW DV VICTIMS TO PROVIDE ALTERNATIVE CONTACT INFORMATION FOR HEALTH INSURANCE BILLING PURPOSES

A.2519 Cymbrowitz/S.7263 Liu

The New York State Coalition Against Domestic Violence (NYSCADV) urges the New York State Legislature to pass this legislation, which allows victims of domestic violence to submit a written request, along with a signed statement made under oath to health insurers in order to provide alternative contact information for information about their healthcare, or the healthcare of any child covered under the policy.

For many victims of domestic violence, access to healthcare is vital but many victims forgo physical and mental health visits out of fear that their abusive partner will find out. Even if the abusive partner is not the policy holder, if an insurance claim shows up unexpectedly and the abusive partner is unaware that the victim, or shared child, sought medical treatment without their consent, the victim or child may be at risk of further abuse. This is even more dangerous for a victim who has fled an abusive environment. One insurance claim sent from an insurer to a victim's former address that was shared with an abusive partner presents a significant safety risk, potentially disclosing a fleeing victim's whereabouts.

Domestic violence is a social determinant of health and must be treated as such. Domestic violence is a leading contributor to injuries, chronic health issues, high-risk health behaviors, and creates a significant strain on the healthcare system.¹ Therefore, New York State must do all it can to ensure that there is a mechanism for domestic violence victims to access vital healthcare services, both for themselves and their children, when fleeing an abusive environment.

Currently victims of domestic violence must obtain an order of protection to prove they are a victim of domestic violence and supply the insurer with a copy to access this crucial safety accommodation. This does not consider victims who do not want an order of protection, victims who would be put at further risk if an order was sought, or victims who do not want to interact with the legal system for fear of further harm. Not to mention, requiring victims to obtain an order of protection puts an undue burden on victims.

This bill would retain the statutory ability of DV survivors to present an order of protection to a health insurer to provide alternative contact information for their health information. It would also amend Insurance Law to instead permit victims of domestic violence to provide a written request and signed statement made under oath to insurance companies for such purpose.

ABOUT NYSCADV:

Established in 1978, NYSCADV is designated by the U.S. Department of Health and Human Services as the information clearinghouse, primary point of contact, and resource center on domestic violence for the State of New York. NYSCADV is responsible for supporting the development of policies, protocol, and procedures to enhance domestic violence intervention and prevention and also provides education and technical assistance to the network of primary-purpose domestic violence service providers statewide.

1. Interiano et al. "Addressing Intimate Partner Violence as a Social Determinant of Health in Clinical Settings." *California IPV & Health Policy Leadership Cohort*. September 2018.

For more information, contact: Joan Gerhardt, Director of Public Policy and Advocacy, 518.482.5465

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