



NEW YORK STATE SENATOR

Joseph P. Addabbo Jr.

Addabbo Votes for Bills to Crack Down on Identity Theft

JOSEPH P. ADDABBO JR June 19, 2012

Two Bills Increase Penalties, Address Theft of Medical & Health Insurance Information

Queens, NY June 19, 2012 -- NYS Senator Joseph P. Addabbo, Jr. (D-Queens) recently approved legislation that seeks to increase all identity theft crimes to the felony level and to address the issue of stolen medical and health insurance information.

“In order to better combat identity theft, we need to ensure greater punishment for those who steal personal information from others in the selfish and greedy hope of enriching themselves at the expense of their innocent victims,” said Addabbo. “In addition, state law needs to be amended to more effectively address identity theft cases where the perpetrator steals medical or health insurance information to fraudulently receive care or otherwise use the data for illegal purposes.”

Under the first bill (**S.1701**), identity theft in the third degree (now a class A misdemeanor) would be punishable as a class E felony based on any financial loss to the victim. A class D felony would apply to identity theft crimes involving the loss of more than \$500, and class C felony charges would be levied against those who victimize others to the tune of more than \$2,000. All offenses could lead to jail time.

The second bill (**S.648**) includes stolen medical or health insurance information in the legal definition of identity theft. This information includes any records about a person’s medical history, mental or physical condition, medical treatment or diagnosis, health insurance policy number, insurance application and claims history, and other identifying data.

“Identity theft is a fast-growing problem, and those who commit these terrible crimes are becoming bolder and more sophisticated by the day,” said Addabbo. “Identity theft can cause severe economic and emotional distress for those who are victimized, and we need to do more to keep perpetrators from getting away with their crimes.”

Addabbo noted that the practice of stealing medical and health insurance information, while not recognized as frequently as a form of identity theft, has very serious ramifications. “Not only can victims be billed for medical

services they never received, but health records may be altered and lead to inappropriate treatments down the road for the true patient and policy holder,” the Queens lawmaker pointed out. “Mistakes like these could literally be life-threatening for someone whose health records have been compromised.”

Addabbo noted that a useful Fact Sheet for Consumers about Medical Identity Theft prepared by the Federal Trade Commission is available at <http://www.ftc.gov/bcp/edu/pubs/consumer/idtheft/idt10.shtm>

According to the Federal Trade Commission’s Consumer Sentinel Database, there were 20,123 complaints of identity theft reported in the New York City metropolitan area alone in 2011 -- up from 18,173 in 2010. “That’s an awful lot of identity theft victims facing tremendous inconvenience at best and economic devastation, or health risks, at worst,” Addabbo said. “We need to do more to protect New Yorkers from people who steal their information and use it for their own personal gain.”

The bills, which were approved by the State Senate, have been sent to the State Assembly Codes Committee for review.

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Judy Close, Press Secretary

NYS Senator Joseph P. Addabbo, Jr.

15th Senate District - Satellite Office

66-85 73rd Place

Middle Village, NY 11379

Ph: [718-497-1630](tel:7184971630)