

7001--A

I N   S E N A T E

March 5, 2010

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Introduced by Sen. SALAND -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance -- reported favorably from said committee and committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to prescription coverage for eye drops

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Subsection (i) of section 3216 of the insurance law is  
2     amended by adding a new paragraph 27 to read as follows:  
3     (27) NOTWITHSTANDING TITLE ELEVEN OF ARTICLE FIVE OF THE SOCIAL  
4     SERVICES LAW OR ANY OTHER LAW TO THE CONTRARY, EVERY POLICY WHICH  
5     PROVIDES COVERAGE FOR PRESCRIPTION DRUGS SHALL, WITH REGARD TO EYE DROP  
6     MEDICATION REQUIRING A PRESCRIPTION THAT HAS BEEN APPROVED BY THE INSUR-  
7     ER FOR COVERAGE, ALLOW FOR THE LIMITED REFILLING OF THE PRESCRIPTION  
8     PRIOR TO THE LAST DAY OF THE APPROVED DOSAGE PERIOD WITHOUT REGARD TO  
9     ANY COVERAGE RESTRICTIONS ON EARLY REFILL OF RENEWALS. PROVIDED, HOWEV-  
10    ER, THAT ANY REFILL DISPENSED PRIOR TO THE EXPIRATION OF THE PRESCRIBED  
11    AND APPROVED COVERAGE PERIOD PURSUANT TO THIS PARAGRAPH, SHALL, TO THE  
12    EXTENT PRACTICABLE, BE LIMITED IN QUANTITY SO AS NOT TO EXCEED THE  
13    REMAINING DOSAGE INITIALLY APPROVED FOR COVERAGE. PROVIDED, FURTHER,  
14    THAT SUCH LIMITED REFILLING SHALL NOT LIMIT OR RESTRICT COVERAGE WITH  
15    REGARD TO ANY PREVIOUSLY OR SUBSEQUENTLY APPROVED PRESCRIPTION FOR EYE  
16    DROP MEDICATION AND SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE  
17    POLICY OTHERWISE APPLICABLE TO THIS COVERAGE.  
18    S 2. Subsection (k) of section 3221 of the insurance law is amended by  
19    adding a new paragraph 16 to read as follows:  
20    (16) NOTWITHSTANDING TITLE ELEVEN OF ARTICLE FIVE OF THE SOCIAL  
21    SERVICES LAW OR ANY OTHER LAW TO THE CONTRARY, EVERY POLICY WHICH  
22    PROVIDES COVERAGE FOR PRESCRIPTION DRUGS SHALL, WITH REGARD TO EYE DROP  
23    MEDICATION REQUIRING A PRESCRIPTION THAT HAS BEEN APPROVED BY THE INSUR-  
24    ER FOR COVERAGE, ALLOW FOR THE LIMITED REFILLING OF THE PRESCRIPTION  
25    PRIOR TO THE LAST DAY OF THE APPROVED DOSAGE PERIOD WITHOUT REGARD TO

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [ ] is old law to be omitted.

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1 ANY COVERAGE RESTRICTIONS ON EARLY REFILL OF RENEWALS. PROVIDED, HOWEV-  
2 ER, THAT ANY REFILL DISPENSED PRIOR TO THE EXPIRATION OF THE PRESCRIBED  
3 AND APPROVED COVERAGE PERIOD PURSUANT TO THIS PARAGRAPH, SHALL, TO THE  
4 EXTENT PRACTICABLE, BE LIMITED IN QUANTITY SO AS NOT TO EXCEED THE  
5 REMAINING DOSAGE INITIALLY APPROVED FOR COVERAGE. PROVIDED, FURTHER,  
6 THAT SUCH LIMITED REFILLING SHALL NOT LIMIT OR RESTRICT COVERAGE WITH  
7 REGARD TO ANY PREVIOUSLY OR SUBSEQUENTLY APPROVED PRESCRIPTION FOR EYE  
8 DROP MEDICATION AND SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE  
9 POLICY OTHERWISE APPLICABLE TO THIS COVERAGE.

10 S 3. Section 4303 of the insurance law is amended by adding a new  
11 subsection (gg) to read as follows:

12 (GG) NOTWITHSTANDING TITLE ELEVEN OF ARTICLE FIVE OF THE SOCIAL  
13 SERVICES LAW OR ANY OTHER LAW TO THE CONTRARY, EVERY POLICY WHICH  
14 PROVIDES COVERAGE FOR PRESCRIPTION DRUGS SHALL, WITH REGARD TO EYE DROP  
15 MEDICATION REQUIRING A PRESCRIPTION THAT HAS BEEN APPROVED BY THE INSUR-  
16 ER FOR COVERAGE, ALLOW FOR THE LIMITED REFILLING OF THE PRESCRIPTION  
17 PRIOR TO THE LAST DAY OF THE APPROVED DOSAGE PERIOD WITHOUT REGARD TO  
18 ANY COVERAGE RESTRICTIONS ON EARLY REFILL OF RENEWALS. PROVIDED, HOWEV-  
19 ER, THAT ANY REFILL DISPENSED PRIOR TO THE EXPIRATION OF THE PRESCRIBED  
20 AND APPROVED COVERAGE PERIOD PURSUANT TO THIS SUBSECTION, SHALL, TO THE  
21 EXTENT PRACTICABLE, BE LIMITED IN QUANTITY SO AS NOT TO EXCEED THE  
22 REMAINING DOSAGE INITIALLY APPROVED FOR COVERAGE. PROVIDED, FURTHER,  
23 THAT SUCH LIMITED REFILLING SHALL NOT LIMIT OR RESTRICT COVERAGE WITH  
24 REGARD TO ANY PREVIOUSLY OR SUBSEQUENTLY APPROVED PRESCRIPTION FOR EYE  
25 DROP MEDICATION AND SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE  
26 POLICY OTHERWISE APPLICABLE TO THIS COVERAGE.

27 S 4. This act shall take effect immediately and shall apply to poli-  
28 cies issued, reissued, renewed, modified or amended on and after such  
29 date.