

STATE OF NEW YORK

3589

2021-2022 Regular Sessions

IN ASSEMBLY

January 28, 2021

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to mandating commercial insurance coverage of peer support services as part of treatment for substance use disorder

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subparagraph (A) of paragraph 31 of subsection (i) of
2 section 3216 of the insurance law, as amended by section 6 of subpart A
3 of part BB of chapter 57 of the laws of 2019, is amended to read as
4 follows:

5 (A) Every policy that provides medical, major medical or similar
6 comprehensive-type coverage shall provide outpatient coverage for the
7 diagnosis and treatment of substance use disorder, including detoxifica-
8 tion and rehabilitation services and also including peer support
9 services provided by a certified recovery peer advocate as defined by
10 the office of addiction services and supports. Such coverage shall not
11 apply financial requirements or treatment limitations to outpatient
12 substance use disorder benefits that are more restrictive than the
13 predominant financial requirements and treatment limitations applied to
14 substantially all medical and surgical benefits covered by the policy.

15 § 2. Subparagraph (A) of paragraph 7 of subsection (l) of section 3221
16 of the insurance law, as amended by section 16 of subpart A of part BB
17 of chapter 57 of the laws of 2019, is amended to read as follows:

18 (A) Every policy that provides medical, major medical or similar
19 comprehensive-type coverage shall provide outpatient coverage for the
20 diagnosis and treatment of substance use disorder, including detoxifica-
21 tion and rehabilitation services and also including peer support
22 services provided by a certified recovery peer advocate as defined by
23 the office of addiction services and supports. Such coverage shall not
24 apply financial requirements or treatment limitations to outpatient

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

LBD00897-01-1

1 substance use disorder benefits that are more restrictive than the
2 predominant financial requirements and treatment limitations applied to
3 substantially all medical and surgical benefits covered by the policy.

4 § 3. Paragraph 1 of subsection (l) of section 4303 of the insurance
5 law, as amended by section 27 of subpart A of part BB of chapter 57 of
6 the laws of 2019, is amended to read as follows:

7 (1) Every contract that provides medical, major medical or similar
8 comprehensive-type coverage shall provide outpatient coverage for the
9 diagnosis and treatment of substance use disorder, including detoxifica-
10 tion and rehabilitation services and also including peer support
11 services provided by a certified recovery peer advocate as defined by
12 the office of addiction services and supports. Such coverage shall not
13 apply financial requirements or treatment limitations to outpatient
14 substance use disorder benefits that are more restrictive than the
15 predominant financial requirements and treatment limitations applied to
16 substantially all medical and surgical benefits covered by the contract.

17 § 4. This act shall take effect on the same date and in the same
18 manner as subpart A of part BB of chapter 57 of the laws of 2019, takes
19 effect.