

STATE OF NEW YORK

6120

2023-2024 Regular Sessions

IN ASSEMBLY

April 3, 2023

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

AN ACT to amend the insurance law, in relation to the purchase of prescription drugs

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 39 to read as follows:

3 (39) No policy which provides coverage for prescribed drugs shall
4 mandate that the same be purchased by the insured from a mail order
5 pharmacy, nor may such policy impose a co-payment fee or other condition
6 on any insured who elects to purchase drugs from other than a mail order
7 pharmacy which is not also imposed on insureds electing to purchase
8 drugs from a designated mail order pharmacy.

9 § 2. Subsection (1) of section 3221 of the insurance law is amended by
10 adding a new paragraph 22 to read as follows:

11 (22) No insurer delivering a group or blanket policy or issuing a
12 group or blanket policy for delivery in this state which provides cover-
13 age for prescribed drugs shall mandate that the same be purchased by the
14 insured from a mail order pharmacy, nor may such policy impose a co-pay-
15 ment fee or other condition on any insured who elects to purchase drugs
16 from other than a mail order pharmacy which is not also imposed on
17 insureds electing to purchase drugs from a designated mail order pharma-
18 cy.

19 § 3. Section 4303 of the insurance law is amended by adding a new
20 subsection (vv) to read as follows:

21 (vv) No policy issued by a medical expense indemnity corporation, a
22 hospital service corporation or a health services corporation which
23 provides coverage for prescribed drugs shall mandate that the same be
24 purchased by the insured from a mail order pharmacy, nor may such policy
25 impose a co-payment fee or other condition on any insured who elects to

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

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1 purchase drugs from other than a mail order pharmacy which is not also
2 imposed on insureds electing to purchase drugs from a designated mail
3 order pharmacy.

4 § 4. This act shall take effect on the first of January next succeed-
5 ing the date on which it shall have become a law and shall apply to all
6 policies and contracts issued, renewed, modified, altered or amended on
7 or after such effective date.