S T A T E O F N E W Y O R K

4082

2009-2010 Regular Sessions

I N A S S E M B L Y

January 29, 2009

Introduced by M. of A. LIFTON, EDDINGTON, GREENE, JAFFEE, MAISEL, ORTIZ, PHEFFER, J. RIVERA, GUNTHER, PEOPLES, GALEF, O'DONNELL -- Multi-Sponsored by -- M. of A. BOYLAND, CLARK, KELLNER, V. LOPEZ, LUPARDO, MARKEY, SEMINERIO, SWEENEY, TOWNS, WEISENBERG -- read once and referred to the Committee on Insurance

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

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

Section 1. Subsection (i) of section 3216 of the insurance law is amended by adding a new paragraph 26 to read as follows:

(26) EVERY POLICY WHICH PROVIDES COVERAGE FOR PRESCRIPTION DRUGS SHALL INCLUDE COVERAGE FOR THE COST OF DRUGS FOR THE TREATMENT OF SHINGLES APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION, INCLUDING THE DRUG ZOSTAVAX, OR GENERIC EQUIVALENTS APPROVED AS SUBSTITUTES BY SUCH FOOD AND DRUG ADMINISTRATION UNDER THE PRESCRIPTION OF A HEALTH CARE PROVIDER LEGALLY AUTHORIZED TO PRESCRIBE UNDER TITLE EIGHT OF THE EDUCATION LAW.

S 2. Subsection (1) of section 3221 of the insurance law is amended by adding a new paragraph 18 to read as follows:

(18) EVERY POLICY WHICH PROVIDES COVERAGE FOR PRESCRIPTION DRUGS SHALL INCLUDE COVERAGE FOR THE COST OF DRUGS FOR THE TREATMENT OF SHINGLES APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION, INCLUDING THE DRUG ZOSTAVAX, OR GENERIC EQUIVALENTS APPROVED AS SUBSTITUTES BY SUCH FOOD AND DRUG ADMINISTRATION UNDER THE PRESCRIPTION OF A HEALTH CARE PROVIDER LEGALLY AUTHORIZED TO PRESCRIBE UNDER TITLE EIGHT OF THE EDUCATION LAW.

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

(FF) EVERY CONTRACT ISSUED BY A HOSPITAL SERVICES CORPORATION OR A HEALTH SERVICES CORPORATION WHICH PROVIDES COVERAGE FOR PRESCRIPTION DRUGS SHALL INCLUDE COVERAGE FOR THE COST OF DRUGS FOR THE TREATMENT OF SHINGLES APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION, INCLUDING

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

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THE DRUG ZOSTAVAX, OR GENERIC EQUIVALENTS APPROVED AS SUBSTITUTES BY SUCH FOOD AND DRUG ADMINISTRATION UNDER THE PRESCRIPTION OF A HEALTH CARE PROVIDER LEGALLY AUTHORIZED TO PRESCRIBE UNDER TITLE EIGHT OF THE EDUCATION LAW.

S 4. This act shall take effect on the sixtieth day after it shall have become a law.