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

6543

2009-2010 Regular Sessions

I N A S S E M B L Y

March 6, 2009

Introduced by M. of A. ORTIZ, GABRYSZAK -- Multi-Sponsored by -- M. of A. ALFANO -- read once and referred to the Committee on Health

AN ACT to amend the social services law, in relation to restricting certain medications from coverage for Medicaid purposes

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

Section 1. Subdivision 4 of section 365-a of the social services law is amended by adding a new paragraph (h) to read as follows:

(H) DRUGS USED TO ENHANCE THE SEXUAL PERFORMANCE OF THEIR USER WHEN PRESCRIBED FOR USE BY A PERSON WHO HAS PREVIOUSLY BEEN CONVICTED OF A FELONY.

S 2. Subparagraph (v) of paragraph (e) of subdivision 1 of section 369-ee of the social services law, as amended by section 1 of part C of chapter 58 of the laws of 2008, is amended to read as follows:

(v) prescription drugs as defined in section two hundred seventy of the public health law, which shall be provided pursuant to subdivision two-b of this section, and non-prescription smoking cessation products or devices; PROVIDED, HOWEVER, THAT DRUGS USED FOR THE ENHANCEMENT OF SEXUAL PERFORMANCE WHEN PRESCRIBED FOR USE BY A PERSON WHO HAS PREVIOUSLY BEEN CONVICTED OF A FELONY SHALL NOT BE COVERED BY HEALTH CARE SERVICES UNDER THIS TITLE;

S 3. This act shall take effect immediately.

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

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