

3901

2011-2012 Regular Sessions

I N   A S S E M B L Y

January 28, 2011

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Introduced by M. of A. LIFTON, JAFFEE, MAISEL, ORTIZ, PHEFFER,  
J. RIVERA, GUNTHER, PEOPLES-STOKES, GALEF, O'DONNELL -- Multi-Spon-  
sored by -- M. of A. BOYLAND, CLARK, KELLNER, V. LOPEZ, LUPARDO,  
MARKEY, 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 ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Subsection (i) of section 3216 of the insurance law is  
2     amended by adding a new paragraph 28 to read as follows:  
3     (28) EVERY POLICY WHICH PROVIDES COVERAGE FOR PRESCRIPTION DRUGS SHALL  
4     INCLUDE COVERAGE FOR THE COST OF DRUGS FOR THE TREATMENT OF SHINGLES  
5     APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION, INCLUDING THE DRUG  
6     ZOSTAVAX, OR GENERIC EQUIVALENTS APPROVED AS SUBSTITUTES BY SUCH FOOD  
7     AND DRUG ADMINISTRATION UNDER THE PRESCRIPTION OF A HEALTH CARE PROVIDER  
8     LEGALLY AUTHORIZED TO PRESCRIBE UNDER TITLE EIGHT OF THE EDUCATION LAW.  
9     S 2. Subsection (1) of section 3221 of the insurance law is amended by  
10    adding a new paragraph 18 to read as follows:  
11    (18) EVERY POLICY WHICH PROVIDES COVERAGE FOR PRESCRIPTION DRUGS SHALL  
12    INCLUDE COVERAGE FOR THE COST OF DRUGS FOR THE TREATMENT OF SHINGLES  
13    APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION, INCLUDING THE DRUG  
14    ZOSTAVAX, OR GENERIC EQUIVALENTS APPROVED AS SUBSTITUTES BY SUCH FOOD  
15    AND DRUG ADMINISTRATION UNDER THE PRESCRIPTION OF A HEALTH CARE PROVIDER  
16    LEGALLY AUTHORIZED TO PRESCRIBE UNDER TITLE EIGHT OF THE EDUCATION LAW.  
17    S 3. Section 4303 of the insurance law is amended by adding a new  
18    subsection (hh) to read as follows:  
19    (HH) EVERY CONTRACT ISSUED BY A HOSPITAL SERVICES CORPORATION OR A  
20    HEALTH SERVICES CORPORATION WHICH PROVIDES COVERAGE FOR PRESCRIPTION  
21    DRUGS SHALL INCLUDE COVERAGE FOR THE COST OF DRUGS FOR THE TREATMENT OF  
22    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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1 THE DRUG ZOSTAVAX, OR GENERIC EQUIVALENTS APPROVED AS SUBSTITUTES BY  
2 SUCH FOOD AND DRUG ADMINISTRATION UNDER THE PRESCRIPTION OF A HEALTH  
3 CARE PROVIDER LEGALLY AUTHORIZED TO PRESCRIBE UNDER TITLE EIGHT OF THE  
4 EDUCATION LAW.

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