

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

4275--A

2011-2012 Regular Sessions

I N A S S E M B L Y

February 2, 2011

Introduced by M. of A. P. RIVERA, STEVENSON, CALHOUN -- read once and referred to the Committee on Health -- recommitted to the Committee on Health in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to requiring insurers to provide coverage of a three month supply of drugs to treat chronic illnesses and conditions in the same manner coverage is provided for other prescriptions

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 29 to read as follows:
3 (29) NO POLICY WHICH PROVIDES COVERAGE FOR PRESCRIPTION DRUGS SHALL
4 PROVIDE FOR A LOWER RATE OF REIMBURSEMENT, IMPOSE A HIGHER DEDUCTIBLE OR
5 IMPOSE A HIGHER CO-PAYMENT FOR COVERAGE OF THE FILLING OF ANY
6 PRESCRIPTION FOR A THREE MONTH SUPPLY OF ANY PRESCRIPTION DRUG
7 PRESCRIBED TO TREAT OR ALLEVIATE ANY CHRONIC ILLNESS OR CONDITION DESIGNATED BY THE COMMISSIONER OF HEALTH AS AN ILLNESS OR CONDITION FOR WHICH
8 A THREE MONTH SUPPLY OF DRUGS MAY BE PRESCRIBED.
9
10 S 2. Subsection (k) of section 3221 of the insurance law is amended by
11 adding a new paragraph 18 to read as follows:
12 (18) NO POLICY WHICH PROVIDES COVERAGE FOR PRESCRIPTION DRUGS SHALL
13 PROVIDE FOR A LOWER RATE OF REIMBURSEMENT, IMPOSE A HIGHER DEDUCTIBLE OR
14 IMPOSE A HIGHER CO-PAYMENT FOR COVERAGE OF THE FILLING OF ANY
15 PRESCRIPTION FOR A THREE MONTH SUPPLY OF ANY PRESCRIPTION DRUG
16 PRESCRIBED TO TREAT OR ALLEVIATE ANY CHRONIC ILLNESS OR CONDITION DESIGNATED BY THE COMMISSIONER OF HEALTH AS AN ILLNESS OR CONDITION FOR WHICH
17 A THREE MONTH SUPPLY OF DRUGS MAY BE PRESCRIBED.
18
19 S 3. Section 4303 of the insurance law is amended by adding a new
20 subsection (ii) to read as follows:

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

LBD00028-02-2

1 (II) NO CONTRACT ISSUED BY A MEDICAL EXPENSE INDEMNITY CORPORATION, A
2 HOSPITAL SERVICE CORPORATION OR A HEALTH SERVICE CORPORATION WHICH
3 PROVIDES COVERAGE FOR PRESCRIPTION DRUGS SHALL PROVIDE FOR A LOWER RATE
4 OF REIMBURSEMENT, IMPOSE A HIGHER DEDUCTIBLE OR IMPOSE A HIGHER CO-PAY-
5 MENT FOR COVERAGE OF THE FILLING OF ANY PRESCRIPTION FOR A THREE MONTH
6 SUPPLY OF ANY PRESCRIPTION DRUG PRESCRIBED TO TREAT OR ALLEVIATE ANY
7 CHRONIC ILLNESS OR CONDITION DESIGNATED BY THE COMMISSIONER OF HEALTH AS
8 AN ILLNESS OR CONDITION FOR WHICH A THREE MONTH SUPPLY OF DRUGS MAY BE
9 PRESCRIBED.

10 S 4. This act shall take effect on the one hundred eightieth day after
11 it shall have become a law, and shall apply to policies issued, renewed
12 or amended on or after such effective date.