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

7727

2011-2012 Regular Sessions

I N A S S E M B L Y

May 16, 2011

Introduced by M. of A. SCHIMMINGER -- read once and referred to the Committee on Health

AN ACT to amend the social services law, in relation to the collection of prescription drug co-payments

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

Section 1. Subparagraph (iii) of paragraph (c) of subdivision 6 of section 367-a of the social services law, as amended by section 47 of part C of chapter 58 of the laws of 2009, is amended to read as follows:

(iii) Notwithstanding any other provision of this paragraph, co-payments charged for each generic prescription drug dispensed shall be one dollar and for each brand name prescription drug dispensed shall be three dollars; provided, however, that the co-payments charged for each brand name prescription drug on the preferred drug list established pursuant to section two hundred seventy-two of the public health law and the co-payments charged for each brand name prescription drug reimbursed pursuant to subparagraph (ii) of paragraph (a-1) of subdivision four of section three hundred sixty-five-a of this title shall be one dollar. THE PAYMENT OF SUCH CO-PAYMENTS SHALL BE MANDATORY AT THE POINT OF SALE IN PHARMACIES.

S 2. Paragraph (i) of subdivision 2-a of section 369-ee of the social service law, as amended by section 26 of part E of chapter 63 of the laws of 2005, is amended to read as follows:

(i) co-payments charged for each generic prescription drug dispensed shall be three dollars and for each brand name prescription drug dispensed shall be six dollars AND THE PAYMENT OF SUCH CO-PAYMENTS SHALL BE MANDATORY AT THE POINT OF SALE IN PHARMACIES;

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law, provided, however, that the amendments to subparagraph (iii) of paragraph (c) of subdivision 6 of section 367-a of the social services law made by section one of this act shall not affect the repeal of such paragraph and shall be deemed to repeal therewith.

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

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