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

4749

2011-2012 Regular Sessions

I N S E N A T E

April 18, 2011

Introduced by Sen. DeFRANCISCO -- read twice and ordered printed, and when printed to be committed 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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