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

7423

I N S E N A T E

May 14, 2012

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law, in relation to providing coverage for biologically-based mental illness under the Healthy New York program

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

Section 1. Paragraphs 14 and 15 of subsection (d) of section 4326 of the insurance law, paragraph 14 as amended and paragraph 15 as added by chapter 219 of the laws of 2011, are amended and a new paragraph 16 is added to read as follows:

(14) prescription drugs obtained at a participating pharmacy. In addition to providing coverage at a participating pharmacy, health maintenance organizations may utilize a mail order prescription drug program. Health maintenance organizations may provide prescription drugs pursuant to a drug formulary; however, health maintenance organizations must implement an appeals process so that the use of non-formulary prescription drugs may be requested by a physician; [and]

(15) for a contract that is not a grandfathered health plan, the following additional preventive health services:

(A) evidence-based items or services that have in effect a rating of 'A' or 'B' in the current recommendations of the United States preventive services task force;

(B) immunizations that have in effect a recommendation from the advisory committee on immunization practices of the centers for disease control and prevention with respect to the individual involved;

(C) with respect to children, including infants and adolescents, evidence-informed preventive care and screenings provided for in the comprehensive guidelines supported by the health resources and services administration; and

(D) with respect to women, such additional preventive care and screenings not described in subparagraph (A) of this paragraph as provided for in comprehensive guidelines supported by the health resources and services administration.

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

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(E) For purposes of this paragraph, "grandfathered health plan" means coverage provided by a corporation in which an individual was enrolled on March twenty-third, two thousand ten for as long as the coverage maintains grandfathered status in accordance with section 1251(e) of the Affordable Care Act, 42 U.S.C. S 18011(e)[.]; AND

(16) PSYCHIATRIC OR PSYCHOLOGICAL SERVICES OR DIAGNOSIS OR TREATMENT OF MENTAL, NERVOUS OR EMOTIONAL DISORDERS OR AILMENTS AND BIOLOGICALLY-BASED MENTAL ILLNESS.

S 2. This act shall take effect immediately.