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

7794

2013-2014 Regular Sessions

I N A S S E M B L Y

June 4, 2013

Introduced by M. of A. GLICK, McDONALD, JAFFEE, PEOPLES-STOKES, ROSA, BRONSON, COLTON, COOK, DINOWITZ, GABRYSZAK, GALEF, GUNTHER, HOOPER, JACOBS, MAGNARELLI, MAISEL, MOSLEY, RAIA, SCARBOROUGH, SKOUFIS, TITUS, GOTTFRIED -- Multi-Sponsored by -- M. of A. ABBATE, ARROYO, BARRON, BRENNAN, DUPREY, GIBSON, McLAUGHLIN, MOYA, ROBINSON, SEPULVEDA, SOLAGES, SWEENEY, TITONE, WEISENBERG -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to requiring insurance coverage for immunizations administered by a pharmacist

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

Section 1. Subsection (i) of section 3216 of the insurance law is amended by adding a new paragraph 17-a to read as follows:

(17-A) EVERY POLICY DELIVERED OR ISSUED FOR DELIVERY IN THIS STATE THAT PROVIDES MEDICAL, MAJOR MEDICAL, OR SIMILAR COMPREHENSIVE-TYPE COVERAGE AND PROVIDES COVERAGE FOR IMMUNIZING AGENTS SHALL PROVIDE COVERAGE FOR IMMUNIZATIONS AND THEIR ADMINISTRATION WHEN SUCH IMMUNIZATIONS ARE ADMINISTERED BY A PHARMACIST AUTHORIZED TO ADMINISTER SUCH IMMUNIZATIONS UNDER SECTION SIXTY-EIGHT HUNDRED ONE OF THE EDUCATION LAW. NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO PREVENT A POLICY FROM REQUIRING SERVICES THROUGH AN IN-NETWORK PROVIDER. NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO AUTHORIZE A POLICY TO REQUIRE THE INSURED TO RECEIVE IMMUNIZATIONS BY A PHARMACIST. SUCH COVERAGE MAY BE SUBJECT TO COPAYMENTS, COINSURANCE OR DEDUCTIBLES, PROVIDED THAT THE COPAYMENTS, COINSURANCE OR DEDUCTIBLES ARE AT LEAST AS FAVORABLE TO AN INSURED AS THE COPAYMENTS, COINSURANCE OR DEDUCTIBLES THAT APPLY TO COVERAGE FOR IMMUNIZATIONS AND THEIR ADMINISTRATION WHEN SUCH IMMUNIZATIONS ARE ADMINISTERED IN A PHYSICIAN'S OFFICE.

S 2. Subsection (l) of section 3221 of the insurance law is amended by adding a new paragraph 8-a to read as follows:

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

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(8-A) EVERY GROUP OR BLANKET POLICY DELIVERED OR ISSUED FOR DELIVERY IN THIS STATE THAT PROVIDES MEDICAL, MAJOR MEDICAL, OR SIMILAR COMPREHENSIVE-TYPE COVERAGE AND PROVIDES COVERAGE FOR IMMUNIZING AGENTS SHALL PROVIDE COVERAGE FOR IMMUNIZATIONS AND THEIR ADMINISTRATION WHEN SUCH IMMUNIZATIONS ARE ADMINISTERED BY A PHARMACIST AUTHORIZED TO ADMINISTER SUCH IMMUNIZATIONS UNDER SECTION SIXTY-EIGHT HUNDRED ONE OF THE EDUCATION LAW. NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO PREVENT A POLICY FROM REQUIRING SERVICES THROUGH AN IN-NETWORK PROVIDER. NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO AUTHORIZE A POLICY TO REQUIRE THE INSURED TO RECEIVE IMMUNIZATIONS BY A PHARMACIST. SUCH COVERAGE MAY BE SUBJECT TO COPAYMENTS, COINSURANCE OR DEDUCTIBLES, PROVIDED THAT THE COPAYMENTS, COINSURANCE OR DEDUCTIBLES ARE AT LEAST AS FAVORABLE TO AN INSURED AS THE COPAYMENTS, COINSURANCE OR DEDUCTIBLES THAT APPLY TO COVERAGE FOR IMMUNIZATIONS AND THEIR ADMINISTRATION WHEN SUCH IMMUNIZATIONS ARE ADMINISTERED IN A PHYSICIAN'S OFFICE.

S 3. Section 4303 of the insurance law is amended by adding a new subsection (k-1) to read as follows:

(K-1) EVERY POLICY ISSUED BY A MEDICAL EXPENSE INDEMNITY CORPORATION, A HOSPITAL SERVICE CORPORATION OR A HEALTH SERVICE CORPORATION FOR DELIVERY IN THIS STATE THAT PROVIDES MEDICAL, MAJOR MEDICAL, OR SIMILAR COMPREHENSIVE-TYPE COVERAGE FOR IMMUNIZING AGENTS SHALL PROVIDE COVERAGE FOR IMMUNIZATIONS AND THEIR ADMINISTRATION WHEN SUCH IMMUNIZATIONS ARE ADMINISTERED BY A PHARMACIST AUTHORIZED TO ADMINISTER SUCH IMMUNIZATIONS UNDER SECTION SIXTY-EIGHT HUNDRED ONE OF THE EDUCATION LAW. NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED TO PREVENT A POLICY FROM REQUIRING SERVICES THROUGH AN IN-NETWORK PROVIDER. NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED TO AUTHORIZE A POLICY TO REQUIRE THE INSURED TO RECEIVE IMMUNIZATIONS BY A PHARMACIST. SUCH COVERAGE MAY BE SUBJECT TO COPAYMENTS, COINSURANCE OR DEDUCTIBLES, PROVIDED THAT THE COPAYMENTS, COINSURANCE OR DEDUCTIBLES ARE AT LEAST AS FAVORABLE TO AN INSURED AS THE COPAYMENTS, COINSURANCE OR DEDUCTIBLES THAT APPLY TO COVERAGE FOR IMMUNIZATIONS AND THEIR ADMINISTRATION WHEN SUCH IMMUNIZATIONS ARE ADMINISTERED IN A PHYSICIAN'S OFFICE.

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