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

9765

I N A S S E M B L Y

May 21, 2014

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

AN ACT to amend the public health law and the insurance law, in relation to a standard prior authorization request form for a utilization review of prescription drug coverage

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

Section 1. Section 4903 of the public health law is amended by adding a new subdivision 8 to read as follows:

8. THE COMMISSIONER, IN CONJUNCTION WITH THE SUPERINTENDENT OF FINANCIAL SERVICES, SHALL DEVELOP A STANDARD PRIOR AUTHORIZATION REQUEST FORM TO BE UTILIZED BY ALL HEALTH CARE PLANS FOR THE PURPOSES OF SUBMITTING A REQUEST FOR A UTILIZATION REVIEW DETERMINATION FOR COVERAGE OF PRESCRIPTION DRUG BENEFITS UNDER THIS ARTICLE. THE FORM SHALL BE IDENTICAL TO THAT DEVELOPED PURSUANT TO SECTION FOUR THOUSAND NINE HUNDRED THREE OF THE INSURANCE LAW. EACH HEALTH CARE PLAN SHALL MAKE THE STANDARD PRIOR AUTHORIZATION REQUEST FORM AVAILABLE TO, AND SHALL ACCEPT IT FROM, PRESCRIBING PROVIDERS IN PAPER AND ELECTRONIC FORM. THE DEPARTMENT AND THE DEPARTMENT OF FINANCIAL SERVICES, IN DEVELOPMENT OF THE STANDARDIZED FORM, SHALL TAKE INTO CONSIDERATION EXISTING PRIOR AUTHORIZATION FORMS ESTABLISHED BY THE DEPARTMENT PURSUANT TO SECTION THREE HUNDRED SIXTY-FOUR-J OF THE SOCIAL SERVICES LAW.

S 2. Section 4903 of the insurance law is amended by adding a new subsection (h) to read as follows:

(H) THE SUPERINTENDENT, IN CONJUNCTION WITH THE COMMISSIONER OF HEALTH, SHALL DEVELOP A STANDARD PRIOR AUTHORIZATION REQUEST FORM TO BE UTILIZED BY ALL HEALTH CARE PLANS FOR THE PURPOSES OF SUBMITTING A REQUEST FOR A UTILIZATION REVIEW DETERMINATION FOR COVERAGE OF PRESCRIPTION DRUG BENEFITS UNDER THIS ARTICLE. THE FORM SHALL BE IDENTICAL TO THAT DEVELOPED PURSUANT TO SECTION FORTY-NINE HUNDRED THREE OF THE PUBLIC HEALTH LAW. EACH HEALTH CARE PLAN SHALL MAKE THE STANDARD PRIOR AUTHORIZATION REQUEST FORM AVAILABLE TO, AND SHALL ACCEPT IT FROM, PRESCRIBING PROVIDERS IN PAPER AND ELECTRONIC FORM. THE DEPARTMENT AND THE DEPARTMENT OF HEALTH, IN DEVELOPMENT OF THE STANDARDIZED FORM, SHALL

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

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TAKE INTO CONSIDERATION EXISTING PRIOR AUTHORIZATION FORMS ESTABLISHED BY THE DEPARTMENT OF HEALTH PURSUANT TO SECTION THREE HUNDRED SIXTY-FOUR-J OF THE SOCIAL SERVICES LAW.

S 3. This act shall take effect immediately.