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

7071

I N S E N A T E

April 23, 2014

Introduced by Sen. BALL -- 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 requiring health insurance coverage of inpatient treatment of opioid addiction

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 30 to read as follows:

(30)(A) EVERY POLICY DELIVERED OR ISSUED FOR DELIVERY IN THIS STATE WHICH PROVIDES MEDICAL, MAJOR MEDICAL OR SIMILAR COMPREHENSIVE-TYPE COVERAGE SHALL INCLUDE COVERAGE FOR BOTH INPATIENT AND OUTPATIENT OPIOID ADDICTION SERVICES THAT ARE PROVIDED BY A QUALIFIED HEALTH PROFESSIONAL, AS DEFINED IN THE REGULATIONS OF THE COMMISSIONER OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES.

(B) THE ONLY PREREQUISITE FOR THE COVERAGE OF HOSPITAL OR NON-HOSPITAL BASED OPIOID ADDICTION SERVICES, INCLUDING MEDICALLY MANAGED, MEDICALLY SUPERVISED AND MEDICALLY MONITORED WITHDRAWAL, OR INPATIENT OR INTENSIVE RESIDENTIAL REHABILITATION, OR INTENSIVE OR ROUTINE OUTPATIENT TREATMENT, SHALL BE THAT A COVERED PERSON BE CERTIFIED AND REFERRED BY A QUALIFIED HEALTH PROFESSIONAL. SUCH CERTIFICATION AND REFERRAL SHALL CONTROL BOTH THE NATURE AND DURATION OF COVERED TREATMENT; PROVIDED, HOWEVER, THAT SUCH COVERAGE SHALL BE TERMINATED WHEN THE ADMITTING OR ATTENDING PHYSICIAN, OR A PHYSICIAN ASSISTANT OR NURSE PRACTITIONER ACTING UNDER THE SUPERVISION OF A PHYSICIAN, PROVIDING OPIOID ADDICTION SERVICES, REHABILITATION OR OUTPATIENT TREATMENT CERTIFIES THAT ADMISSION OF THE COVERED PERSON IS NOT NECESSARY, EARLY DISCHARGE IS APPROPRIATE OR ADDITIONAL INPATIENT DAYS OR SESSIONS ARE NECESSARY.

S 2. Subsection (l) of section 3221 of the insurance law is amended by adding a new paragraph 19 to read as follows:

(19) (A) EVERY GROUP OR BLANKET POLICY DELIVERED OR ISSUED FOR DELIVERY IN THIS STATE WHICH PROVIDES MEDICAL, MAJOR MEDICAL OR SIMILAR COMPREHENSIVE-TYPE COVERAGE SHALL INCLUDE COVERAGE FOR BOTH INPATIENT AND OUTPATIENT OPIOID ADDICTION SERVICES THAT ARE PROVIDED BY A QUALI-

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

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FIED HEALTH PROFESSIONAL, AS DEFINED IN THE REGULATIONS OF THE COMMISSIONER OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES.

(B) THE ONLY PREREQUISITE FOR THE COVERAGE OF HOSPITAL OR NON-HOSPITAL BASED OPIOID ADDICTION SERVICES, INCLUDING MEDICALLY MANAGED, MEDICALLY SUPERVISED AND MEDICALLY MONITORED WITHDRAWAL, OR INPATIENT OR INTENSIVE RESIDENTIAL REHABILITATION, OR INTENSIVE OR ROUTINE OUTPATIENT TREATMENT, SHALL BE THAT A COVERED PERSON BE CERTIFIED AND REFERRED BY A QUALIFIED HEALTH PROFESSIONAL. SUCH CERTIFICATION AND REFERRAL SHALL CONTROL BOTH THE NATURE AND DURATION OF COVERED TREATMENT; PROVIDED, HOWEVER, THAT SUCH COVERAGE SHALL BE TERMINATED WHEN THE ADMITTING OR ATTENDING PHYSICIAN, OR A PHYSICIAN ASSISTANT OR NURSE PRACTITIONER ACTING UNDER THE SUPERVISION OF A PHYSICIAN, PROVIDING OPIOID ADDICTION SERVICES, REHABILITATION OR OUTPATIENT TREATMENT CERTIFIES THAT ADMISSION OF THE COVERED PERSON IS NOT NECESSARY, EARLY DISCHARGE IS APPROPRIATE OR ADDITIONAL INPATIENT DAYS OR SESSIONS ARE NECESSARY.

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

(OO) (1) EVERY CONTRACT ISSUED BY A HOSPITAL SERVICE COMPANY OR HEALTH SERVICE CORPORATION WHICH PROVIDES MEDICAL, MAJOR MEDICAL OR SIMILAR COMPREHENSIVE-TYPE COVERAGE SHALL INCLUDE COVERAGE FOR BOTH INPATIENT AND OUTPATIENT OPIOID ADDICTION SERVICES THAT ARE PROVIDED BY A QUALIFIED HEALTH PROFESSIONAL, AS DEFINED IN THE REGULATIONS OF THE COMMISSIONER OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES.

(2) THE ONLY PREREQUISITE FOR THE COVERAGE OF HOSPITAL OR NON-HOSPITAL BASED OPIOID ADDICTION SERVICES, INCLUDING MEDICALLY MANAGED, MEDICALLY SUPERVISED AND MEDICALLY MONITORED WITHDRAWAL, OR INPATIENT OR INTENSIVE RESIDENTIAL REHABILITATION, OR INTENSIVE OR ROUTINE OUTPATIENT TREATMENT, SHALL BE THAT A COVERED PERSON BE CERTIFIED AND REFERRED BY A QUALIFIED HEALTH PROFESSIONAL. SUCH CERTIFICATION AND REFERRAL SHALL CONTROL BOTH THE NATURE AND DURATION OF COVERED TREATMENT, PROVIDED, HOWEVER, THAT SUCH COVERAGE SHALL BE TERMINATED WHEN THE ADMITTING OR ATTENDING PHYSICIAN, OR A PHYSICIAN ASSISTANT OR NURSE PRACTITIONER ACTING UNDER THE SUPERVISION OF A PHYSICIAN, PROVIDING OPIOID ADDICTION SERVICES, REHABILITATION OR OUTPATIENT TREATMENT CERTIFIES THAT ADMISSION OF THE COVERED PERSON IS NOT NECESSARY, EARLY DISCHARGE IS APPROPRIATE OR ADDITIONAL INPATIENT DAYS OR SESSIONS ARE NECESSARY.

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