

4365

2015-2016 Regular Sessions

I N S E N A T E

March 17, 2015

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

AN ACT to amend the insurance law and the public health law, in relation to providing for dispensing emergency contraception under certain conditions

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

1 Section 1. Section 3216 of the insurance law is amended by adding a
2 new subsection (n) to read as follows:

3 (N)(1) ANY POLICY UNDER THIS ARTICLE THAT COVERS CONTRACEPTION WHEN
4 PROVIDED PURSUANT TO A PRESCRIPTION, SHALL COVER EMERGENCY CONTRACEPTION
5 WHEN PROVIDED PURSUANT TO AN ORDINARY PRESCRIPTION OR ORDER UNDER
6 SECTION SIXTY-EIGHT HUNDRED THIRTY-ONE OF THE EDUCATION LAW AND WHEN
7 LAWFULLY PROVIDED OTHER THAN THROUGH A PRESCRIPTION OR ORDER.

8 (2) FOR PURPOSES OF THIS SUBSECTION, "EMERGENCY CONTRACEPTION" MEANS
9 ONE OR MORE PRESCRIPTION OR NON-PRESCRIPTION DRUGS, USED SEPARATELY OR
10 IN COMBINATION, IN A DOSAGE AND MANNER FOR PREVENTING PREGNANCY WHEN
11 USED AFTER INTERCOURSE, FOUND SAFE AND EFFECTIVE FOR THAT USE BY THE
12 UNITED STATES FOOD AND DRUG ADMINISTRATION, AND DISPENSED OR ADMINIS-
13 TERED FOR THAT PURPOSE.

14 S 2. Section 3221 of the insurance law is amended by adding a new
15 subsection (t) to read as follows:

16 (T)(1) ANY POLICY UNDER THIS ARTICLE THAT COVERS CONTRACEPTION WHEN
17 PROVIDED PURSUANT TO A PRESCRIPTION, SHALL COVER EMERGENCY CONTRACEPTION
18 WHEN PROVIDED PURSUANT TO AN ORDINARY PRESCRIPTION OR ORDER UNDER
19 SECTION SIXTY-EIGHT HUNDRED THIRTY-ONE OF THE EDUCATION LAW AND WHEN
20 LAWFULLY PROVIDED OTHER THAN THROUGH A PRESCRIPTION OR ORDER.

21 (2) FOR PURPOSES OF THIS SUBSECTION, "EMERGENCY CONTRACEPTION" MEANS
22 ONE OR MORE PRESCRIPTION OR NON-PRESCRIPTION DRUGS, USED SEPARATELY OR
23 IN COMBINATION, IN A DOSAGE AND MANNER FOR PREVENTING PREGNANCY WHEN
24 USED AFTER INTERCOURSE, FOUND SAFE AND EFFECTIVE FOR THAT USE BY THE

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

LBD08338-01-5

1 UNITED STATES FOOD AND DRUG ADMINISTRATION, AND DISPENSED OR ADMINIS-
2 TERED FOR THAT PURPOSE.

3 S 3. Section 4304 of the insurance law is amended by adding a new
4 subsection (n) to read as follows:

5 (N)(1) ANY POLICY UNDER THIS ARTICLE THAT COVERS CONTRACEPTION WHEN
6 PROVIDED PURSUANT TO A PRESCRIPTION, SHALL COVER EMERGENCY CONTRACEPTION
7 WHEN PROVIDED PURSUANT TO AN ORDINARY PRESCRIPTION OR ORDER UNDER
8 SECTION SIXTY-EIGHT HUNDRED THIRTY-ONE OF THE EDUCATION LAW AND WHEN
9 LAWFULLY PROVIDED OTHER THAN THROUGH A PRESCRIPTION OR ORDER.

10 (2) FOR PURPOSES OF THIS SUBSECTION, "EMERGENCY CONTRACEPTION" MEANS
11 ONE OR MORE PRESCRIPTION OR NON-PRESCRIPTION DRUGS, USED SEPARATELY OR
12 IN COMBINATION, IN A DOSAGE AND MANNER FOR PREVENTING PREGNANCY WHEN
13 USED AFTER INTERCOURSE, FOUND SAFE AND EFFECTIVE FOR THAT USE BY THE
14 UNITED STATES FOOD AND DRUG ADMINISTRATION, AND DISPENSED OR ADMINIS-
15 TERED FOR THAT PURPOSE.

16 S 4. Subdivision 1 of section 207 of the public health law is amended
17 by adding a new paragraph (k) to read as follows:

18 (K) EMERGENCY CONTRACEPTION, INCLUDING INFORMATION ABOUT ITS SAFETY,
19 EFFICACY, APPROPRIATE USE AND AVAILABILITY.

20 S 5. This act shall take effect on the one hundred eightieth day after
21 it shall have become a law; and sections one, two and three of this act
22 shall apply to policies and contracts issued, renewed, modified, altered
23 or amended on or after such effective date.