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

4721--A

Cal. No. 1059

2015-2016 Regular Sessions

I N S E N A T E

April 10, 2015

Introduced by Sens. HANNON, LARKIN -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to amend the public health law and the insurance law, in relation to standards for prior authorization requests 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 STANDARDS FOR PRIOR AUTHORIZATION REQUESTS 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 DEPARTMENT AND THE DEPARTMENT OF FINANCIAL SERVICES, IN DEVELOPMENT OF THE STANDARDS, SHALL TAKE INTO CONSIDERATION EXISTING ELECTRONIC PRIOR AUTHORIZATION STANDARDS INCLUDING NATIONAL COUNCIL FOR PRESCRIPTION DRUG PROGRAMS (NCPDP) ELECTRONIC PRIOR AUTHORIZATION STANDARD TRANSACTIONS.

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 STANDARDS FOR PRIOR AUTHORIZATION REQUESTS 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 DEPARTMENT AND THE DEPARTMENT OF HEALTH, IN DEVELOPMENT OF THE STANDARDS, SHALL TAKE INTO CONSIDERATION EXISTING ELECTRONIC PRIOR AUTHORIZATION STANDARDS INCLUDING NATIONAL COUNCIL FOR PRESCRIPTION DRUG PROGRAMS (NCPDP) ELECTRONIC PRIOR AUTHORIZATION STANDARD TRANSACTIONS.

S 3. This act shall take effect immediately.

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

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