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

5178

2015-2016 Regular Sessions

I N A S S E M B L Y

February 12, 2015

Introduced by M. of A. PAULIN, JOYNER, GOTTFRIED, DINOWITZ, GALEF, JAFFEE, MOSLEY, PICHARDO, ROSENTHAL, ROZIC, SCARBOROUGH, CROUCH -- Multi-Sponsored by -- M. of A. BROOK-KRASNY, COOK, GLICK, THIELE -- read once and referred 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:

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

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

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

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

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

(2) FOR PURPOSES OF THIS SUBSECTION, "EMERGENCY CONTRACEPTION" MEANS ONE OR MORE PRESCRIPTION OR NON-PRESCRIPTION DRUGS, USED SEPARATELY OR

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

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IN COMBINATION, IN A DOSAGE AND MANNER FOR PREVENTING PREGNANCY WHEN USED AFTER INTERCOURSE, FOUND SAFE AND EFFECTIVE FOR THAT USE BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION, AND DISPENSED OR ADMINISTERED FOR THAT PURPOSE.

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

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

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

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

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

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