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

7450

I N S E N A T E

May 3, 2016

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

AN ACT to amend the social services law, in relation to requiring Medicaid coverage of both blood testing and skin prick testing for allergies

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

Section 1. The social services law is amended by adding a new section 365-o to read as follows:

S 365-O. ALLERGY TESTING COVERAGE. THE COMMISSIONER SHALL ESTABLISH STANDARDS AND GUIDELINES, CONSISTENT WITH NATIONAL INSTITUTES OF HEALTH GUIDELINES AND OTHER CURRENT MEDICAL PROFESSIONAL GUIDANCE AND LITERATURE, INCLUDING UPDATING ITS PROVIDER BULLETINS, AS NECESSARY, TO REFERENCE THE MOST CURRENT PROFESSIONAL LITERATURE AND GUIDANCE RELATED TO ALLERGY TESTING FOR THE PROVISION OF ALLERGY TESTING UNDER THE MEDICAL ASSISTANCE PROGRAM. CONSISTENT WITH SUCH PROFESSIONAL LITERATURE AND GUIDANCE, SUCH STANDARDS, GUIDELINES AND COVERAGE POLICIES SHALL TREAT SEROLOGIC-SPECIFIC IGE TESTS AND PERCUTANEOUS SKIN TESTS AS EQUIVALENT CONFIRMATORY TESTS IN TERMS OF THEIR SENSITIVITY AND ACCURACY, AND SHALL TREAT THEM AS MEDICALLY NECESSARY FOR THOSE INDIVIDUALS WITH A MEDICAL HISTORY CONSISTENT WITH ANY OF THE FOLLOWING:

(A) AN INHALANT ALLERGY;

(B) A FOOD ALLERGY;

(C) HYMENOPTERA VENOM ALLERGY OR AN ALLERGY TO STINGING INSECTS;

(D) ALLERGIC BRONCHOPULMONARY ASPERGILLOSIS (ABPA);

(E) CERTAIN PARASITIC DISEASES; AND

(F) ALLERGIES TO SPECIFIC DRUGS.

S 2. This act shall take effect the first of July next succeeding the date upon which it shall become a law; provided that, effective immediately, the commissioner of health shall promulgate all rules and regulations deemed necessary and desirable to implement the provisions of this act on or before its effective date.

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

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