

STATE OF NEW YORK

10622

IN ASSEMBLY

May 9, 2018

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the
Committee on Insurance

AN ACT to amend the insurance law, in relation to requiring health
insurers to provide coverage for opioid antagonists and devices

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Subsection (i) of section 3216 of the insurance law is
2 amended by adding a new paragraph 35 to read as follows:

3 (35) (A) (i) Every policy which provides coverage for prescription
4 drugs shall include coverage for at least one opioid antagonist and
5 device. Prior authorization may be required for non-generic forms of
6 opioid antagonists and devices.

7 (ii) As used in this paragraph "opioid antagonist and device" means a
8 drug approved by the Food and Drug Administration that, when adminis-
9 tered, negates or neutralizes in whole or in part the pharmacological
10 effects of an opioid in the body. "Opioid antagonist" shall be limited
11 to naloxone and other medications approved by the department of health
12 for such purpose.

13 (B) The coverage mandated by this paragraph shall include opioid
14 antagonists prescribed or dispensed via standing order or collaborative
15 practice agreement intended for use on patients other than the insured.

16 (C) Coverage provided under this paragraph may be subject to annual
17 deductibles and co-insurance as deemed appropriate by the superintendent
18 and that are consistent with those imposed on other benefits within a
19 given policy.

20 § 2. Subsection (1) of section 3221 of the insurance law is amended by
21 adding a new paragraph 7-c to read as follows:

22 (7-c) (A) (i) Every policy which provides coverage for prescription
23 drugs shall include coverage for at least one opioid antagonist and
24 device. Prior authorization may be required for non-generic forms of
25 opioid antagonists and devices.

26 (ii) As used in this paragraph "opioid antagonist and device" means a
27 drug approved by the Food and Drug Administration that, when adminis-
28 tered, negates or neutralizes in whole or in part the pharmacological

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

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1 effects of an opioid in the body. "Opioid antagonist" shall be limited
2 to naloxone and other medications approved by the department of health
3 for such purpose.

4 (B) The coverage mandated by this paragraph shall include opioid
5 antagonists prescribed or dispensed via standing order or collaborative
6 practice agreement intended for use on patients other than the insured.

7 (C) Coverage provided under this paragraph may be subject to annual
8 deductibles and co-insurance as deemed appropriate by the superintendent
9 and that are consistent with those imposed on other benefits within a
10 given policy.

11 § 3. Section 4303 of the insurance law is amended by adding a new
12 subsection (ss) to read as follows:

13 (ss) (1) (A) Every policy which provides coverage for prescription
14 drugs shall include coverage for at least one opioid antagonist and
15 device. Prior authorization may be required for non-generic forms of
16 opioid antagonists and devices.

17 (B) As used in this subsection "opioid antagonist and device" means a
18 drug approved by the Food and Drug Administration that, when adminis-
19 tered, negates or neutralizes in whole or in part the pharmacological
20 effects of an opioid in the body. "Opioid antagonist" shall be limited
21 to naloxone and other medications approved by the department of health
22 for such purpose.

23 (2) Coverage provided under this subsection may be subject to annual
24 deductibles and co-insurance as deemed appropriate by the superintendent
25 and that are consistent with those imposed on other benefits within a
26 given policy.

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