

# STATE OF NEW YORK

4899--B

2017-2018 Regular Sessions

## IN ASSEMBLY

February 6, 2017

Introduced by M. of A. L. ROSENTHAL, BRINDISI, HUNTER -- read once and referred to the Committee on Insurance -- recommitted to the Committee on Insurance in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to requiring health insurers to provide coverage of opioid addiction prescription drugs prescribed for the treatment of substance abuse disorder

The People of the State of New York, represented in Senate and Assembly, 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) Every policy that provides medical, major medical or similar  
4 comprehensive-type coverage, or coverage for prescription drugs must  
5 provide coverage, without prior authorization or step therapy, of a  
6 thirty day supply of prescription drugs prescribed for the treatment of  
7 substance abuse disorder suffered by a covered person with an addiction  
8 to opioids.

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

13 (C) For the purposes of this paragraph, "prescription drugs prescribed  
14 for the treatment of substance abuse disorder" shall mean medications  
15 and prescription drugs approved by the food and drug administration for  
16 the detoxification or maintenance treatment of substance use disorder.

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

19 (7-c)(A) Every policy that provides medical, major medical or similar  
20 comprehensive-type coverage, or coverage for prescription drugs must

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

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1 provide coverage, without prior authorization or step therapy, of a  
2 thirty day supply of prescription drugs prescribed for the treatment of  
3 substance abuse disorder suffered by a covered person with an addiction  
4 to opioids.

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

9 (C) For the purposes of this paragraph, "prescription drugs prescribed  
10 for the treatment of substance abuse disorder" shall mean medications  
11 and prescription drugs approved by the food and drug administration for  
12 the detoxification or maintenance treatment of substance use disorder.

13 § 3. Section 4303 of the insurance law is amended by adding a new  
14 subsection (1-3) to read as follows:

15 (1-3) Every contract that provides medical, major medical or similar  
16 comprehensive-type coverage, or coverage for prescription drugs must  
17 provide coverage, without prior authorization or step therapy, of a  
18 thirty day supply of prescription drugs prescribed for the treatment of  
19 substance abuse disorder suffered by a covered person with an addiction  
20 to opioids. Coverage provided under this subsection may be subject to  
21 annual deductibles and co-insurance as deemed appropriate by the super-  
22 intendent and that are consistent with those imposed on other benefits  
23 within a given contract. For the purposes of this subsection,  
24 "prescription drugs prescribed for the treatment of substance abuse  
25 disorder" shall mean medications and prescription drugs approved by the  
26 food and drug administration for the detoxification or maintenance  
27 treatment of substance use disorder.

28 § 4. This act shall take effect immediately.