

# STATE OF NEW YORK

8739

2017-2018 Regular Sessions

## IN ASSEMBLY

October 25, 2017

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

AN ACT to amend the insurance law, in relation to requiring health insurance coverage for drug testing

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 34 to read as follows:

3 (34)(A) Every policy that provides medical, major medical or similar  
4 comprehensive-type coverage, or coverage for prescription drugs shall  
5 provide coverage of blood tests, urinalysis, and other tests used to  
6 detect controlled substance use, including the use of prescription  
7 controlled substances. Such tests shall be considered medically neces-  
8 sary when requested or prescribed by an authorized health care provider,  
9 including any physician, nurse, provider of services for the mentally  
10 disabled as defined in article one of the mental hygiene law, or other  
11 person involved in providing medical, nursing, counseling, or other  
12 health care or mental health service.

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

17 § 2. Subsection (1) 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 shall  
21 provide coverage of blood tests, urinalysis, and other tests used to  
22 detect controlled substance use, including the use of prescription  
23 controlled substances. Such tests shall be considered medically neces-  
24 sary when requested or prescribed by an authorized health care provider,  
25 including any physician, nurse, provider of services for the mentally

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

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1 disabled as defined in article one of the mental hygiene law, or other  
2 person involved in providing medical, nursing, counseling, or other  
3 health care or mental health service.

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

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

10 (1-3)(1) Every policy that provides medical, major medical or similar  
11 comprehensive-type coverage, or coverage for prescription drugs shall  
12 provide coverage of blood tests, urinalysis, and other tests used to  
13 detect controlled substance use, including the use of prescription  
14 controlled substances. Such tests shall be considered medically neces-  
15 sary when requested or prescribed by an authorized health care provider,  
16 including any physician, nurse, provider of services for the mentally  
17 disabled as defined in article one of the mental hygiene law, or other  
18 person involved in providing medical, nursing, counseling, or other  
19 health care or mental health service.

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

24 § 4. This act shall take effect immediately.