

# STATE OF NEW YORK

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5773

2017-2018 Regular Sessions

## IN SENATE

April 28, 2017

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Introduced by Sen. DeFRANCISCO -- 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 the collection  
of prescription drug co-payments

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

1 Section 1. Subparagraph (iii) of paragraph (c) of subdivision 6 of  
2 section 367-a of the social services law, as amended by section 16 of  
3 part D of chapter 57 of the laws of 2017, is amended to read as follows:

4 (iii) Notwithstanding any other provision of this paragraph, co-pay-  
5 ments charged for each generic prescription drug dispensed shall be one  
6 dollar and for each brand name prescription drug dispensed shall be two  
7 dollars and fifty cents; provided, however, that the co-payments charged  
8 for each brand name prescription drug reimbursed pursuant to subpara-  
9 graph (ii) of paragraph (a-1) of subdivision four of section three  
10 hundred sixty-five-a of this title shall be one dollar. The payment of  
11 such co-payments shall be mandatory at the point of sale in pharmacies.

12 § 2. This act shall take effect on the one hundred eightieth day after  
13 it shall have become a law, provided, however, that if section 16 of  
14 part D of chapter 57 of the laws of 2017 shall not have taken effect on  
15 or before such date then section one of this act shall take effect on  
16 the same date and in the same manner as such chapter of the laws of 2017  
17 takes effect; provided, further, that the amendments to subparagraph  
18 (iii) of paragraph (c) of subdivision 6 of section 367-a of the social  
19 services law made by section one of this act shall not affect the repeal  
20 of such paragraph and shall be deemed to be repealed therewith.

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

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