

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.