STATE OF NEW YORK

5773

2017-2018 Regular Sessions

IN SENATE

April 28, 2017

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 Assembly, do enact as follows:

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

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

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services law made by section one of this act shall not affect the repeal of such paragraph and shall be deemed to be repealed therewith.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