

# STATE OF NEW YORK

10821

## IN ASSEMBLY

July 15, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Niou) --  
read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to capping cost sharing  
for insulin

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

1 Section 1. Subparagraph (B) of paragraph 15-a of subsection (i) of  
2 section 3216 of the insurance law, as amended by section 1 of part DDD  
3 of chapter 56 of the laws of 2020, is amended to read as follows:

4 (B) Such coverage may be subject to annual deductibles and coinsurance  
5 as may be deemed appropriate by the superintendent and as are consistent  
6 with those established for other benefits within a given policy;  
7 provided however, the total amount that a covered person is required to  
8 pay out of pocket for covered prescription insulin drugs shall be capped  
9 at an amount not to exceed [~~one hundred~~] thirty dollars per thirty-day  
10 supply, regardless of the amount or type of insulin needed to fill such  
11 covered person's prescription and regardless of the insured's deduct-  
12 ible, copayment, coinsurance or any other cost sharing requirement.

13 § 2. Subparagraph (B) of paragraph 7 of subsection (k) of section 3221  
14 of the insurance law, as amended by section 2 of part DDD of chapter 56  
15 of the laws of 2020, is amended to read as follows:

16 (B) Such coverage may be subject to annual deductibles and coinsurance  
17 as may be deemed appropriate by the superintendent and as are consistent  
18 with those established for other benefits within a given policy;  
19 provided however, the total amount that a covered person is required to  
20 pay out of pocket for covered prescription insulin drugs shall be capped  
21 at an amount not to exceed [~~one hundred~~] thirty dollars per thirty-day  
22 supply, regardless of the amount or type of insulin needed to fill such  
23 covered person's prescription and regardless of the insured's deduct-  
24 ible, copayment, coinsurance or any other cost sharing requirement.

25 § 3. Paragraph 2 of subsection (u) of section 4303 of the insurance  
26 law, as amended by section 3 of part DDD of chapter 56 of the laws of  
27 2020, is amended to read as follows:

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

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1 (2) Such coverage may be subject to annual deductibles and coinsurance  
2 as may be deemed appropriate by the superintendent and as are consistent  
3 with those established for other benefits within a given policy;  
4 provided however, the total amount that a covered person is required to  
5 pay out of pocket for covered prescription insulin drugs shall be capped  
6 at an amount not to exceed [~~one hundred~~] ~~thirty~~ dollars per thirty-day  
7 supply, regardless of the amount or type of insulin needed to fill such  
8 covered person's prescription and regardless of the insured's deduct-  
9 ible, copayment, coinsurance or any other cost sharing requirement.

10 § 4. This act shall take effect immediately and shall apply to any  
11 policy or contract issued or renewed on or after January 1, 2021.