

STATE OF NEW YORK

8268

2019-2020 Regular Sessions

IN ASSEMBLY

June 11, 2019

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

AN ACT to amend the insurance law, in relation to mandating insurance
coverage for medical devices to treat withdrawal symptoms

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

1 Section 1. Subparagraph (A) of paragraph 30 of subsection (i) of
2 section 3216 of the insurance law, as amended by section 5 of subpart A
3 of part BB of chapter 57 of the laws of 2019, is amended to read as
4 follows:

5 (A) Every policy that provides hospital, major medical or similar
6 comprehensive coverage shall provide inpatient coverage for the diagno-
7 sis and treatment of substance use disorder, including detoxification
8 and rehabilitation services, including the use of medications, medical
9 devices and products approved and/or cleared by the food and drug admin-
10 istration for the treatment of withdrawal symptoms. Such inpatient
11 coverage shall include unlimited medically necessary treatment for
12 substance use disorder treatment services provided in residential
13 settings. Further, such inpatient coverage shall not apply financial
14 requirements or treatment limitations, including utilization review
15 requirements, to inpatient substance use disorder benefits that are more
16 restrictive than the predominant financial requirements and treatment
17 limitations applied to substantially all medical and surgical benefits
18 covered by the policy.

19 § 2. Paragraph 30 of subsection (i) of section 3216 of the insurance
20 law, as amended by section 7 of subpart B of part J of chapter 57 of the
21 laws of 2019, is renumbered paragraph 30-a.

22 § 3. Paragraph 7-a of subsection (l) of section 3221 of the insurance
23 law, as added by section 2 of part B of chapter 69 of the laws of 2016,
24 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 (7-a) Every policy that provides medical, major medical or similar
2 comprehensive-type large group coverage shall provide coverage for medi-
3 cation for the detoxification or maintenance treatment, including
4 medical devices or products for the treatment of withdrawal symptoms, of
5 a substance use disorder approved by the food and drug administration
6 for the detoxification or maintenance treatment of substance use disor-
7 der.

8 § 4. Subsection (1-1) of section 4303 of the insurance law, as added
9 by section 3 of part B of chapter 69 of the laws of 2016, is amended to
10 read as follows:

11 (1-1) Every contract that provides medical, major medical, or similar
12 comprehensive-type large group coverage shall provide coverage for medi-
13 cation for the detoxification or maintenance treatment, including
14 medical devices or products for the treatment of withdrawal symptoms, of
15 a substance use disorder approved by the food and drug administration
16 for the detoxification or maintenance treatment of substance use disor-
17 der.

18 § 5. Subparagraph (A) of paragraph 31 of subsection (i) of section
19 3216 of the insurance law, as amended by section 6 of subpart A of part
20 BB of chapter 57 of the laws of 2019, is amended to read as follows:

21 (A) Every policy that provides medical, major medical or similar
22 comprehensive-type coverage shall provide outpatient coverage for the
23 diagnosis and treatment of substance use disorder, including detoxifica-
24 tion and rehabilitation services, including the use of medications,
25 medical devices and products approved and/or cleared by the food and
26 drug administration for the treatment of withdrawal symptoms. Such
27 coverage shall not apply financial requirements or treatment limitations
28 to outpatient substance use disorder benefits that are more restrictive
29 than the predominant financial requirements and treatment limitations
30 applied to substantially all medical and surgical benefits covered by
31 the policy.

32 § 6. This act shall take effect on the same date and in the same
33 manner as subpart A of part BB of chapter 57 of the laws of 2019, takes
34 effect and shall apply to policies and contracts issued, renewed, modi-
35 fied, altered or amended on and after such date; provided, however, that
36 section two of this act shall take effect on the same date and in the
37 same manner as section 7 of subpart B of part J of chapter 57 of the
38 laws of 2019, takes effect.