

STATE OF NEW YORK

4500

2019-2020 Regular Sessions

IN SENATE

March 13, 2019

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law, in relation to insurance coverage of opioid medications

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 35 to read as follows:

3 (35)(A) Every policy that provides medical, major medical or similar
4 comprehensive-type coverage, or coverage for prescription drugs must
5 provide coverage of opioid medications and prescription drugs. Such
6 coverage shall continue to be provided during the entire period of time
7 the medications and drugs are prescribed or administered by an author-
8 ized prescriber or administrator. Such coverage shall not require prior
9 authorization from the insurance company prior to administration or
10 prescription of such medications and prescription drugs. Such coverage
11 shall be at the same rate regardless of the opioid medications being
12 administered or prescribed. An insurance company shall not charge a
13 different rate for any medication in the opioid class.

14 (B) Coverage provided under this paragraph may be subject to annual
15 deductibles and co-insurance as deemed appropriate by the superinten-
16 dent.

17 § 2. Subsection (1) of section 3221 of the insurance law is amended by
18 adding a new paragraph 21 to read as follows:

19 (21) (A) Every policy that provides medical, major medical or similar
20 comprehensive-type coverage, or coverage for prescription drugs must
21 provide coverage of opioid medications and prescription drugs. Such
22 coverage shall continue to be provided during the entire period of time
23 the medications and drugs are prescribed or administered by an author-
24 ized prescriber or administrator. Such coverage shall not require prior
25 authorization from the insurance company prior to administration or

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

LBD01843-01-9

1 prescription of such medications and prescription drugs. Such coverage
2 shall be at the same rate regardless of the opioid medications being
3 administered or prescribed. An insurance company shall not charge a
4 different rate for any medication in the opioid class.

5 (B) Coverage provided under this paragraph may be subject to annual
6 deductibles and co-insurance as deemed appropriate by the superinten-
7 dent.

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 must
12 provide coverage of opioid medications and prescription drugs. Such
13 coverage shall continue to be provided during the entire period of time
14 the medications and drugs are prescribed or administered by an author-
15 ized prescriber or administrator. Such coverage shall not require prior
16 authorization from the insurance company prior to administration or
17 prescription of such medications and prescription drugs. Such coverage
18 shall be at the same rate regardless of the opioid medications being
19 administered or prescribed. An insurance company shall not charge a
20 different rate for any medication in the opioid class.

21 (2) Coverage provided under this paragraph may be subject to annual
22 deductibles and co-insurance as deemed appropriate by the superinten-
23 dent.

24 § 4. This act shall take effect immediately.