

# STATE OF NEW YORK

5935--A

Cal. No. 1170

2019-2020 Regular Sessions

## IN SENATE

May 16, 2019

Introduced by Sens. HARCKHAM, BIAGGI, CARLUCCI, KAPLAN -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged and said bill committed to the Committee on Rules -- reported favorably from said committee, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the social services law and the public health law, in relation to medication for the treatment of substance use disorders

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

1 Section 1. Subdivision 2 of section 365-a of the social services law  
2 is amended by adding a new paragraph (gg) to read as follows:

3 (gg) all buprenorphine products, methadone or long acting injectable  
4 naltrexone for detoxification or maintenance treatment of a substance  
5 use disorder prescribed according to generally accepted national profes-  
6 sional guidelines for the treatment of a substance use disorder. Such  
7 medication assisted treatment shall not be subject to any prior authori-  
8 zation mandate.

9 § 2. Subdivision 26-b of section 364-j of the social services law, as  
10 added by section 4 of part B of chapter 69 of the laws of 2016, is  
11 amended to read as follows:

12 26-b. Managed care providers shall not require prior authorization for  
13 ~~[an initial or renewal prescription for buprenorphine or injectable~~  
14 ~~naltrexone for detoxification or maintenance treatment of opioid~~  
15 ~~addiction unless the prescription is for a non-preferred or non-formu-~~  
16 ~~lary form of the drug or as otherwise required by section 1927(k)(6) of~~  
17 ~~the Social Security Act]~~ any buprenorphine products, methadone or long  
18 acting injectable naltrexone for detoxification or maintenance treatment  
19 of a substance use disorder prescribed according to generally accepted

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

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1 national professional guidelines for the treatment of a substance use  
2 disorder.

3 § 3. Subdivision 10 of section 273 of the public health law, as added  
4 by section 5 of part B of chapter 69 of the laws of 2016, is amended to  
5 read as follows:

6 10. Prior authorization shall not be required for [~~an initial or~~  
7 ~~renewal prescription for buprenorphine or injectable naltrexone for~~  
8 ~~detoxification or maintenance treatment of opioid addiction unless the~~  
9 ~~prescription is for a non-preferred or non-formulary form of such drug~~  
10 ~~as otherwise required by section 1927(k)(6) of the Social Security Act]~~  
11 any buprenorphine products, methadone or long acting injectable naltrex-  
12 one for detoxification or maintenance treatment of a substance use  
13 disorder prescribed according to generally accepted national profes-  
14 sional guidelines for the treatment of a substance use disorder.

15 § 4. This act shall take effect on the ninetieth day after it shall  
16 have become a law; provided, however, that the amendments to subdivision  
17 26-b of section 364-j of the social services law made by section two of  
18 this act shall not affect the repeal of such section, and shall be  
19 deemed repealed therewith.