STATE OF NEW YORK

102

2019-2020 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 9, 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 insurance coverage of opioid medications

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

Section 1. Subsection (i) of section 3216 of the insurance law is amended by adding a new paragraph 35 to read as follows:

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

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

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

(21) (A) Every policy that provides medical, major medical or similar comprehensive-type coverage, or coverage for prescription drugs must provide coverage of opioid medications and prescription drugs. Such coverage shall continue to be provided during the entire period of time the medications and drugs are prescribed or administered by an authorized prescriber or administrator. Such coverage shall not require prior

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

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authorization from the insurance company prior to administration or prescription of such medications and prescription drugs. Such coverage shall be at the same rate regardless of the opioid medications being administered or prescribed. An insurance company shall not charge a different rate for any medication in the opioid class.

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

§ 3. Section 4303 of the insurance law is amended by adding a new subsection (l-3) to read as follows:

(l-3) (1) Every policy that provides medical, major medical or similar comprehensive-type coverage, or coverage for prescription drugs must provide coverage of opioid medications and prescription drugs. Such coverage shall continue to be provided during the entire period of time the medications and drugs are prescribed or administered by an authorized prescriber or administrator. Such coverage shall not require prior authorization from the insurance company prior to administration or prescription of such medications and prescription drugs. Such coverage shall be at the same rate regardless of the opioid medications being administered or prescribed. An insurance company shall not charge a different rate for any medication in the opioid class.

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

§ 4. This act shall take effect immediately.