

STATE OF NEW YORK

8246

2019-2020 Regular Sessions

IN ASSEMBLY

June 10, 2019

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

AN ACT to amend the insurance law, in relation to calculating an insured individual's overall contribution to any out-of-pocket maximum or any cost-sharing requirement

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 36 to read as follows:

3 (36) Any policy that provides coverage for prescription drugs shall
4 apply any third-party payments, financial assistance, discount, voucher
5 or other price reduction instrument for out-of-pocket expenses made on
6 behalf of an insured individual for the cost of prescription drugs to
7 the insured's deductible, copayment, coinsurance, out-of-pocket maximum,
8 or any other cost-sharing requirement when calculating such insured
9 individual's overall contribution to any out-of-pocket maximum or any
10 cost-sharing requirement.

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

13 (21) Every group or blanket policy delivered or issued for delivery in
14 this state that provides coverage for prescription drugs shall apply any
15 third-party payments, financial assistance, discount, voucher or other
16 price reduction instrument for out-of-pocket expenses made on behalf of
17 an insured individual for the cost of prescription drugs to the
18 insured's deductible, copayment, coinsurance, out-of-pocket maximum, or
19 any other cost-sharing requirement when calculating such insured indi-
20 vidual's overall contribution to any out-of-pocket maximum or any cost-
21 sharing requirement.

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

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

LBD13146-01-9

1 (ss) Every contract issued by a medical expense indemnity corporation,
2 hospital service corporation, or health service corporation that
3 provides coverage for prescription drugs shall apply any third-party
4 payments, financial assistance, discount, voucher or other price
5 reduction instrument for out-of-pocket expenses made on behalf of an
6 insured individual for the cost of prescription drugs to the insured's
7 deductible, copayment, coinsurance, out-of-pocket maximum, or any other
8 cost-sharing requirement when calculating such insured individual's
9 overall contribution to any out-of-pocket maximum or any cost-sharing
10 requirement.

11 § 4. This act shall take effect on the first of January next succeed-
12 ing the date on which it shall have become a law and shall apply to all
13 policies and contracts issued, renewed, modified, altered or amended on
14 or after such date.