# STATE OF NEW YORK

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1492

2019-2020 Regular Sessions

# IN SENATE

January 15, 2019
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Introduced by Sen. JACOBS -- 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 requiring health
    insurers to provide coverage for opioid antagonists and devices

    The People of the State of New York, represented in Senate and Assem-
    bly, 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) (i) Every policy which provides coverage for prescription
4   drugs shall include coverage for at least one opioid antagonist and
5   device. Prior authorization may be required for non-generic forms of
6   opioid antagonists and devices.
7    (ii) As used in this paragraph "opioid antagonist and device" means a
8   drug approved by the Food and Drug Administration that, when adminis-
9   tered, negates or neutralizes in whole or in part the pharmacological
10  effects of an opioid in the body. "Opioid antagonist" shall be limited
11  to naloxone and other medications approved by the department of health
12  for such purpose.
13   (B) The coverage mandated by this paragraph shall include opioid
14  antagonists prescribed or dispensed via standing order or collaborative
15  practice agreement intended for use on patients other than the insured.
16   (C) Coverage provided under this paragraph may be subject to annual
17  deductibles and co-insurance as deemed appropriate by the superintendent
18  and that are consistent with those imposed on other benefits within a
19  given policy.
20   § 2. Subsection (l) of section 3221 of the insurance law is amended by
21  adding a new paragraph 7-c to read as follows:
22   (7-c) (A) (i) Every policy which provides coverage for prescription
23  drugs shall include coverage for at least one opioid antagonist and
24  device. Prior authorization may be required for non-generic forms of
25  opioid antagonists and devices.

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

                                                        LBD04821-01-9

1    (ii) As used in this paragraph "opioid antagonist and device" means  a
2    drug  approved  by  the Food and Drug Administration that, when adminis-
3    tered, negates or neutralizes in whole or in  part  the  pharmacological
4    effects  of  an opioid in the body. "Opioid antagonist" shall be limited
5    to  naloxone  and other medications approved by the department of health
6    for such purpose.
7    (B) The coverage mandated  by  this  paragraph  shall  include  opioid
8    antagonists  prescribed or dispensed via standing order or collaborative
9    practice agreement intended for use on patients other than the insured.
10   (C) Coverage provided under this paragraph may be  subject  to  annual
11   deductibles and co-insurance as deemed appropriate by the superintendent
12   and  that  are  consistent with those imposed on other benefits within a
13   given policy.
14   § 3. Section 4303 of the insurance law is  amended  by  adding  a  new
15   subsection (ss) to read as follows:
16   (ss) (1) (A) Every  policy which provides coverage for prescription
17   drugs shall include coverage for at  least  one  opioid  antagonist  and
18   device.  Prior  authorization  may  be required for non-generic forms of
19   opioid antagonists and devices.
20   (B) As used in this subsection "opioid antagonist and device" means  a
21   drug  approved  by  the Food and Drug Administration that, when adminis-
22   tered, negates or neutralizes in whole or in  part  the  pharmacological
23   effects  of  an opioid in the body. "Opioid antagonist" shall be limited
24   to naloxone and other medications approved by the department  of  health
25   for such purpose.
26   (2) Coverage  provided under this subsection may be subject to annual
27   deductibles and co-insurance as deemed appropriate by the superintendent
28   and that are consistent with those imposed on other  benefits  within  a
29   given policy.
30   § 4.  This  act shall take effect on the thirtieth day after it shall
31   have become a law.