

STATE OF NEW YORK

5535

2019-2020 Regular Sessions

IN SENATE

May 6, 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 requiring health insurers to provide coverage of opioid addiction prescription drugs prescribed for the treatment of substance abuse disorder

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)(A) Every policy that provides medical, major medical or similar
4 comprehensive-type coverage, or coverage for prescription drugs must
5 provide coverage, without prior authorization or step therapy, for an
6 initial or renewal prescription for prescription drugs prescribed for
7 the treatment of substance abuse disorder suffered by a covered person
8 with an addiction to opioids.

9 (B) Coverage provided under this paragraph may be subject to annual
10 deductibles and co-insurance as deemed appropriate by the superintendent
11 and that are consistent with those imposed on other benefits within a
12 given policy.

13 (C) For the purposes of this paragraph, "prescription drugs prescribed
14 for the treatment of substance abuse disorder" shall mean medications
15 and prescription drugs approved by the food and drug administration for
16 the detoxification or maintenance treatment of substance use disorder.

17 § 2. Subsection (1) of section 3221 of the insurance law is amended by
18 adding a new paragraph 7-c to read as follows:

19 (7-c)(A) Every policy that provides medical, major medical or similar
20 comprehensive-type coverage, or coverage for prescription drugs must
21 provide coverage, without prior authorization or step therapy, for an
22 initial or renewal prescription for prescription drugs prescribed for
23 the treatment of substance abuse disorder suffered by a covered person
24 with an addiction to opioids.

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

LBD01571-02-9

1 (B) Coverage provided under this paragraph may be subject to annual
2 deductibles and co-insurance as deemed appropriate by the superintendent
3 and that are consistent with those imposed on other benefits within a
4 given policy.

5 (C) For the purposes of this paragraph, "prescription drugs prescribed
6 for the treatment of substance abuse disorder" shall mean medications
7 and prescription drugs approved by the food and drug administration for
8 the detoxification or maintenance treatment of substance use disorder.

9 § 3. Section 4303 of the insurance law is amended by adding a new
10 subsection (1-3) to read as follows:

11 (1-3) Every contract that provides medical, major medical or similar
12 comprehensive-type coverage, or coverage for prescription drugs must
13 provide coverage, without prior authorization or step therapy, for an
14 initial or renewal prescription for prescription drugs prescribed for
15 the treatment of substance abuse disorder suffered by a covered person
16 with an addiction to opioids. Coverage provided under this subsection
17 may be subject to annual deductibles and co-insurance as deemed appro-
18 priate by the superintendent and that are consistent with those imposed
19 on other benefits within a given contract. For the purposes of this
20 subsection, "prescription drugs prescribed for the treatment of
21 substance abuse disorder" shall mean medications and prescription drugs
22 approved by the food and drug administration for the detoxification or
23 maintenance treatment of substance use disorder.

24 § 4. This act shall take effect immediately.