STATE OF NEW YORK

5935

2019-2020 Regular Sessions

IN SENATE

May 16, 2019

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Health

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:

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

(gg) all United States food and drug administration approved forms of medication assisted treatment prescribed according to generally accepted national professional guidelines for the treatment of a substance use disorder. Such medication assisted treatment shall not be subject to any prior authorization mandate.

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

26-b. Managed care providers shall not require prior authorization for [~~an initial or renewal prescription for buprenorphine or injectable naltrexone for detoxification or maintenance treatment of opioid addiction unless the prescription is for a non-preferred or non-formulary form of the drug or as otherwise required by section 1927(k)(6) of the Social Security Act~~] **any United States food and drug administration approved forms of medication assisted treatment prescribed according to generally accepted national professional guidelines for the treatment of a substance use disorder**.

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

10. Prior authorization shall not be required for [~~an initial or renewal prescription for buprenorphine or injectable naltrexone for detoxification or maintenance treatment of opioid addiction unless the~~

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

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~~prescription is for a non-preferred or non-formulary form of such drug as otherwise required by section 1927(k)(6) of the Social Security Act~~] any United States food and drug administration approved forms of medication assisted treatment prescribed according to generally accepted national professional guidelines for the treatment of a substance use disorder.

§ 4. This act shall take effect July 1, 2019; provided, however, that the amendments to subdivision 26-b of section 364-j of the social services law made by section two of this act shall not affect the repeal of such section, and shall be deemed repealed therewith.