STATE OF NEW YORK

3463

2021-2022 Regular Sessions

IN ASSEMBLY

January 26, 2021

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 providing reimbursement for transportation to and from inpatient and outpatient diagnosis and treatment of substance disorder

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

Section 1. Subparagraph (A) of paragraph 30 of subsection (i) of section 3216 of the insurance law, as amended by section 5 of subpart A of part BB of chapter 57 of the laws of 2019, is amended to read as follows:

(A) Every policy that provides hospital, major medical or similar comprehensive coverage shall provide inpatient coverage for the diagnosis and treatment of substance use disorder, including detoxification and rehabilitation services**, and shall provide reimbursement for transportation to and from such inpatient diagnosis and treatment of substance use disorder**. Such inpatient coverage shall include unlimited medically necessary treatment for substance use disorder treatment services provided in residential settings. Further, such inpatient coverage shall not apply financial requirements or treatment limitations, including utilization review requirements, to inpatient substance use disorder benefits that are more restrictive than the predominant financial requirements and treatment limitations applied to substantially all medical and surgical benefits covered by the policy.

§ 2. Subparagraph (A) of paragraph 31 of subsection (i) of section 3216 of the insurance law, as amended by section 6 of subpart A of part BB of chapter 57 of the laws of 2019, is amended to read as follows:

(A) Every policy that provides medical, major medical or similar comprehensive-type coverage shall provide outpatient coverage for the diagnosis and treatment of substance use disorder, including detoxification and rehabilitation services**, and shall provide reimbursement for**

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

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transportation to and from such outpatient diagnosis and treatment of substance use disorder. Such coverage shall not apply financial requirements or treatment limitations to outpatient substance use disorder benefits that are more restrictive than the predominant financial requirements and treatment limitations applied to substantially all medical and surgical benefits covered by the policy.

§ 3. Subparagraph (A) of paragraph 6 of subsection (l) of section 3221 of the insurance law, as amended by section 15 of subpart A of part BB of chapter 57 of the laws of 2019, is amended to read as follows:

(A) Every policy that provides hospital, major medical or similar comprehensive coverage shall provide inpatient coverage for the diagnosis and treatment of substance use disorder, including detoxification and rehabilitation services**, and shall provide reimbursement for transportation to and from such inpatient diagnosis and treatment of substance use disorder**. Such inpatient coverage shall include unlimited medically necessary treatment for substance use disorder treatment services provided in residential settings. Further, such inpatient coverage shall not apply financial requirements or treatment limitations, including utilization review requirements, to inpatient substance use disorder benefits that are more restrictive than the predominant financial requirements and treatment limitations applied to substantially all medical and surgical benefits covered by the policy.

§ 4. Subparagraph (A) of paragraph 7 of subsection (l) of section 3221 of the insurance law, as amended by section 16 of subpart A of part BB of chapter 57 of the laws of 2019, is amended to read as follows:

(A) Every policy that provides medical, major medical or similar comprehensive-type coverage shall provide outpatient coverage for the diagnosis and treatment of substance use disorder, including detoxification and rehabilitation services**, and shall provide reimbursement for transportation to and from such outpatient diagnosis and treatment of substance use disorder**. Such coverage shall not apply financial requirements or treatment limitations to outpatient substance use disorder benefits that are more restrictive than the predominant financial requirements and treatment limitations applied to substantially all medical and surgical benefits covered by the policy.

§ 5. Paragraph 1 of subsection (k) of section 4303 of the insurance law, as amended by section 26 of subpart A of part BB of chapter 57 of the laws of 2019, is amended to read as follows:

(1) Every contract that provides hospital, major medical or similar comprehensive coverage shall provide inpatient coverage for the diagnosis and treatment of substance use disorder, including detoxification and rehabilitation services**, and shall provide reimbursement for transportation to and from such inpatient diagnosis and treatment of substance use disorder**. Such inpatient coverage shall include unlimited medically necessary treatment for substance use disorder treatment services provided in residential settings. Further, such inpatient coverage shall not apply financial requirements or treatment limitations, including utilization review requirements, to inpatient substance use disorder benefits that are more restrictive than the predominant financial requirements and treatment limitations applied to substantially all medical and surgical benefits covered by the contract.

§ 6. Paragraph 1 of subsection (l) of section 4303 of the insurance law, as amended by section 27 of subpart A of part BB of chapter 57 of the laws of 2019, is amended to read as follows:

(1) Every contract that provides medical, major medical or similar comprehensive-type coverage shall provide outpatient coverage for the

diagnosis and treatment of substance use disorder, including detoxification and rehabilitation services**, and shall provide reimbursement for transportation to and from such outpatient diagnosis and treatment of substance use disorder**. Such coverage shall not apply financial requirements or treatment limitations to outpatient substance use disorder benefits that are more restrictive than the predominant financial requirements and treatment limitations applied to substantially all medical and surgical benefits covered by the contract.

§ 7. This act shall take effect on the ninetieth day after it shall have become a law and shall apply to all policies and contracts issued, renewed, modified, altered or amended on or after such date.