

# STATE OF NEW YORK

3589

2021-2022 Regular Sessions

## IN ASSEMBLY

January 28, 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 mandating commercial insurance coverage of peer support services as part of treatment for substance use disorder

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

1 Section 1. Subparagraph (A) of paragraph 31 of subsection (i) of  
2 section 3216 of the insurance law, as amended by section 6 of subpart A  
3 of part BB of chapter 57 of the laws of 2019, is amended to read as  
4 follows:

5 (A) Every policy that provides medical, major medical or similar  
6 comprehensive-type coverage shall provide outpatient coverage for the  
7 diagnosis and treatment of substance use disorder, including detoxifica-  
8 tion and rehabilitation services and also including peer support  
9 services provided by a certified recovery peer advocate as defined by  
10 the office of addiction services and supports. Such coverage shall not  
11 apply financial requirements or treatment limitations to outpatient  
12 substance use disorder benefits that are more restrictive than the  
13 predominant financial requirements and treatment limitations applied to  
14 substantially all medical and surgical benefits covered by the policy.

15 § 2. Subparagraph (A) of paragraph 7 of subsection (1) of section 3221  
16 of the insurance law, as amended by section 16 of subpart A of part BB  
17 of chapter 57 of the laws of 2019, is amended to read as follows:

18 (A) Every policy that provides medical, major medical or similar  
19 comprehensive-type coverage shall provide outpatient coverage for the  
20 diagnosis and treatment of substance use disorder, including detoxifica-  
21 tion and rehabilitation services and also including peer support  
22 services provided by a certified recovery peer advocate as defined by  
23 the office of addiction services and supports. Such coverage shall not  
24 apply financial requirements or treatment limitations to outpatient

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

LBD00897-01-1

1 substance use disorder benefits that are more restrictive than the  
2 predominant financial requirements and treatment limitations applied to  
3 substantially all medical and surgical benefits covered by the policy.

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

7 (1) Every contract that provides medical, major medical or similar  
8 comprehensive-type coverage shall provide outpatient coverage for the  
9 diagnosis and treatment of substance use disorder, including detoxifica-  
10 tion and rehabilitation services and also including peer support  
11 services provided by a certified recovery peer advocate as defined by  
12 the office of addiction services and supports. Such coverage shall not  
13 apply financial requirements or treatment limitations to outpatient  
14 substance use disorder benefits that are more restrictive than the  
15 predominant financial requirements and treatment limitations applied to  
16 substantially all medical and surgical benefits covered by the contract.

17 § 4. This act shall take effect on the same date and in the same  
18 manner as subpart A of part BB of chapter 57 of the laws of 2019, takes  
19 effect.