

STATE OF NEW YORK

5193

2021-2022 Regular Sessions

IN ASSEMBLY

February 11, 2021

Introduced by M. of A. PAULIN, JOYNER, GOTTFRIED, DINOWITZ, GALEF,
PICHARDO, L. ROSENTHAL, ROZIC -- Multi-Sponsored by -- M. of A. COOK,
GLICK, THIELE -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law and the public health law, in relation
to providing for dispensing emergency contraception under certain
conditions

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

1 Section 1. Section 3216 of the insurance law is amended by adding a
2 new subsection (n) to read as follows:

3 (n)(1) Any policy under this article that covers contraception when
4 provided pursuant to a prescription, shall cover emergency contraception
5 when provided pursuant to an ordinary prescription or order under
6 section sixty-eight hundred thirty-one of the education law and when
7 lawfully provided other than through a prescription or order.

8 (2) For purposes of this subsection, "emergency contraception" means
9 one or more prescription or non-prescription drugs, used separately or
10 in combination, in a dosage and manner for preventing pregnancy when
11 used after intercourse, found safe and effective for that use by the
12 United States food and drug administration, and dispensed or adminis-
13 tered for that purpose.

14 § 2. Section 3221 of the insurance law is amended by adding a new
15 subsection (u) to read as follows:

16 (u)(1) Any policy under this article that covers contraception when
17 provided pursuant to a prescription, shall cover emergency contraception
18 when provided pursuant to an ordinary prescription or order under
19 section sixty-eight hundred thirty-one of the education law and when
20 lawfully provided other than through a prescription or order.

21 (2) For purposes of this subsection, "emergency contraception" means
22 one or more prescription or non-prescription drugs, used separately or
23 in combination, in a dosage and manner for preventing pregnancy when

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

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1 used after intercourse, found safe and effective for that use by the
2 United States food and drug administration, and dispensed or adminis-
3 tered for that purpose.

4 § 3. Section 4304 of the insurance law is amended by adding a new
5 subsection (n) to read as follows:

6 (n)(1) Any policy under this article that covers contraception when
7 provided pursuant to a prescription, shall cover emergency contraception
8 when provided pursuant to an ordinary prescription or order under
9 section sixty-eight hundred thirty-one of the education law and when
10 lawfully provided other than through a prescription or order.

11 (2) For purposes of this subsection, "emergency contraception" means
12 one or more prescription or non-prescription drugs, used separately or
13 in combination, in a dosage and manner for preventing pregnancy when
14 used after intercourse, found safe and effective for that use by the
15 United States food and drug administration, and dispensed or adminis-
16 tered for that purpose.

17 § 4. Subdivision 1 of section 207 of the public health law is amended
18 by adding a new paragraph (p) to read as follows:

19 (p) Emergency contraception, including information about its safety,
20 efficacy, appropriate use and availability.

21 § 5. This act shall take effect on the one hundred eightieth day after
22 it shall have become a law; and sections one, two and three of this act
23 shall apply to policies and contracts issued, renewed, modified, altered
24 or amended on or after such effective date.