

# STATE OF NEW YORK

8713

## IN ASSEMBLY

January 11, 2022

Introduced by M. of A. McDONALD -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to the satisfaction of requirements for an explanation of benefits for certain pharmaceutical claims; and to amend a chapter of the laws of 2021 amending the insurance law relating to requiring insurers to provide insureds or subscribers with an explanation of pharmaceutical benefits relating to claims under certain accident and health insurance policies, as proposed in legislative bills numbers S. 7075 and A. 3516, in relation to the effectiveness thereof

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

Section 1. Section 3244 of the insurance law, as renumbered by a chapter of the laws of 2021 amending the insurance law relating to requiring insurers to provide insureds or subscribers with an explanation of pharmaceutical benefits relating to claims under certain accident and health insurance policies, as proposed in legislative bills numbers S. 7075 and A. 3516, is amended by adding a new subsection (e) to read as follows:

(e) The provisions of this section requiring an explanation of benefits form for pharmaceutical claims shall be satisfied by either a quarterly written summary of the information prescribed by subsection (b) of this section or by making such information available electronically on the member portal of the insurer's, health maintenance organization's, or article forty-three organization's website, provided that the member consents to receiving the information electronically.

§ 2. Section 2 of a chapter of the laws of 2021 amending the insurance law relating to requiring insurers to provide insureds or subscribers with an explanation of pharmaceutical benefits relating to claims under certain accident and health insurance policies, as proposed in legislative bills numbers S. 7075 and A. 3516, is amended to read as follows:

§ 2. This act shall take effect [~~on the sixtieth day after it shall have become a law~~] January 1, 2022 and shall apply to all claims filed on and after such effective date. Effective immediately the addition,

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

LBD01845-02-2

1 amendment and/or repeal of any rule or regulation necessary for the  
2 implementation of this act on its effective date are authorized to be  
3 made and completed on or before such date.  
4 § 3. This act shall take effect immediately; provided, however, that  
5 section one of this act shall take effect on the same date and in the  
6 same manner as a chapter of the laws of 2021 amending the insurance law  
7 relating to requiring insurers to provide insureds or subscribers with  
8 an explanation of pharmaceutical benefits relating to claims under  
9 certain accident and health insurance policies, as proposed in legisla-  
10 tive bills numbers S. 7075 and A. 3516, takes effect.