STATE OF NEW YORK

1671--A

2021-2022 Regular Sessions

IN ASSEMBLY

January 11, 2021

Introduced by M. of A. GOTTFRIED, REYES, HEVESI, L. ROSENTHAL, GUNTHER, DICKENS, RODRIGUEZ, TAYLOR, HUNTER, BARRON, BRAUNSTEIN, PERRY, JOYNER, EPSTEIN, DINOWITZ, ABINANTI, O'DONNELL, PEOPLES-STOKES, THIELE, ENGLEBRIGHT, NOLAN, CRUZ, GALEF, SIMON, PAULIN, GOODELL, BRONSON, ABBATE, CYMBROWITZ, GALLAGHER, LUPARDO -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend part FFF of chapter 56 of the laws of 2020, amending the public health law relating to extending and enhancing the Medicaid drug cap and to reduce unnecessary pharmacy benefit manager costs to the Medicaid program, in relation to temporarily exempting covered entities under the federal 340B program and comprehensive HIV special needs plans

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

Section 1. Part FFF of chapter 56 of the laws of 2020, amending the public health law relating to extending and enhancing the Medicaid drug cap and to reduce unnecessary pharmacy benefit manager costs to the Medicaid program, is amended by adding a new section 1-b to read as follows:

§ 1-b. Notwithstanding any provision of this part or other law, no action shall be taken by the commissioner of health or the department of health to remove the pharmacy benefit from the managed care benefit package under medical assistance (Medicaid) before April 1, 2024 for the following entities: (a) an eligible provider under section 340B of the federal Public Health Service Act and (b) a comprehensive HIV special needs plan under section 4403-c of the public health law.

§ 2. This act shall take effect immediately.

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

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