

STATE OF NEW YORK

2383

2021-2022 Regular Sessions

IN ASSEMBLY

January 19, 2021

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

AN ACT to amend the insurance law, in relation to capping cost sharing for insulin

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

1 Section 1. Subparagraph (B) of paragraph 15-a of subsection (i) of
2 section 3216 of the insurance law, as amended by section 1 of part DDD
3 of chapter 56 of the laws of 2020, is amended to read as follows:

4 (B) Such coverage may be subject to annual deductibles and coinsurance
5 as may be deemed appropriate by the superintendent and as are consistent
6 with those established for other benefits within a given policy;
7 provided however, the total amount that a covered person is required to
8 pay out of pocket for covered prescription insulin drugs shall be capped
9 at an amount not to exceed [~~one hundred~~] thirty dollars per thirty-day
10 supply, regardless of the amount or type of insulin needed to fill such
11 covered person's prescription and regardless of the insured's deduct-
12 ible, copayment, coinsurance or any other cost sharing requirement.

13 § 2. Subparagraph (B) of paragraph 7 of subsection (k) of section 3221
14 of the insurance law, as amended by section 2 of part DDD of chapter 56
15 of the laws of 2020, is amended to read as follows:

16 (B) Such coverage may be subject to annual deductibles and coinsurance
17 as may be deemed appropriate by the superintendent and as are consistent
18 with those established for other benefits within a given policy;
19 provided however, the total amount that a covered person is required to
20 pay out of pocket for covered prescription insulin drugs shall be capped
21 at an amount not to exceed [~~one hundred~~] thirty dollars per thirty-day
22 supply, regardless of the amount or type of insulin needed to fill such
23 covered person's prescription and regardless of the insured's deduct-
24 ible, copayment, coinsurance or any other cost sharing requirement.

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

LBD04974-01-1

1 § 3. Paragraph 2 of subsection (u) of section 4303 of the insurance
2 law, as amended by section 3 of part DDD of chapter 56 of the laws of
3 2020, is amended to read as follows:

4 (2) Such coverage may be subject to annual deductibles and coinsurance
5 as may be deemed appropriate by the superintendent and as are consistent
6 with those established for other benefits within a given policy;
7 provided however, the total amount that a covered person is required to
8 pay out of pocket for covered prescription insulin drugs shall be capped
9 at an amount not to exceed [~~one hundred~~] thirty dollars per thirty-day
10 supply, regardless of the amount or type of insulin needed to fill such
11 covered person's prescription and regardless of the insured's deduct-
12 ible, copayment, coinsurance or any other cost sharing requirement.

13 § 4. This act shall take effect immediately and shall apply to any
14 policy or contract issued or renewed on or after January 1, 2022.