

STATE OF NEW YORK

7847

2021-2022 Regular Sessions

IN ASSEMBLY

May 27, 2021

Introduced by M. of A. REYES -- read once and referred to the Committee on Health

AN ACT to amend the social services law, in relation to determining the amount paid to a pharmacy for certain high cost drugs

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

1 Section 1. Paragraph (b) of subdivision 9 of section 367-a of the
2 social services law is amended by adding a new subparagraph (iv) to read
3 as follows:

4 (iv) notwithstanding subparagraphs (i) and (ii) of this paragraph and
5 paragraph (e) of this subdivision, if the drug dispensed is a high cost
6 drug and has a national average drug acquisition cost set by the federal
7 center for medicare and medicaid services in excess of six hundred
8 seventy dollars, the actual amount paid to the pharmacy, plus the
9 reasonable administrative costs as determined by the commissioner of
10 health, shall be no more than two and one-half percent of the total cost
11 of such drug, together with any dispensing fee authorized under para-
12 graph (d) of this subdivision.

13 § 2. This act shall take effect immediately; provided, however, that
14 the amendments to subdivision 9 of section 367-a of the social services
15 law made by section one of this act shall not affect the expiration of
16 such subdivision and shall be deemed to expire therewith.

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

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