STATE OF NEW YORK

1393--A

2023-2024 Regular Sessions

IN ASSEMBLY

January 17, 2023

Introduced by M. of A. L. ROSENTHAL, SANTABARBARA -- read once and referred to the Committee on Insurance -- recommitted to the Committee on Insurance in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the insurance law, in relation to requiring health insurers to provide coverage for opioid antagonists and devices

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

Section 1. Subsection (i) of section 3216 of the insurance law is amended by adding a new paragraph 39 to read as follows:

(39) (A) (i) Every policy which provides coverage for prescription drugs shall include coverage for at least one opioid antagonist and device. Prior authorization may be required for non-generic forms of opioid antagonists and devices.

(ii) As used in this paragraph "opioid antagonist and device" means a drug approved by the food and drug administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the body. "Opioid antagonist" shall be limited to naloxone and other medications approved by the department of health for such purpose.

(B) The coverage mandated by this paragraph shall include opioid antagonists prescribed or dispensed via standing order or collaborative practice agreement intended for use on patients other than the insured.

(C) A policy shall not impose a deductible, co-insurance, co-payment, or any other cost-sharing requirement on such coverage provided pursuant to this paragraph.

§ 2. Subsection (l) of section 3221 of the insurance law is amended by adding a new paragraph 7-c to read as follows:

(7-c) (A) (i) Every policy which provides coverage for prescription drugs shall include coverage for at least one opioid antagonist and

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

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device. Prior authorization may be required for non-generic forms of opioid antagonists and devices.

(ii) As used in this paragraph "opioid antagonist and device" means a drug approved by the food and drug administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the body. "Opioid antagonist" shall be limited to naloxone and other medications approved by the department of health for such purpose.

(B) The coverage mandated by this paragraph shall include opioid antagonists prescribed or dispensed via standing order or collaborative practice agreement intended for use on patients other than the insured.

(C) A group or blanket policy subject to this paragraph shall not impose a deductible, co-insurance, co-payment, or any other cost-sharing requirement on such coverage provided pursuant to this paragraph.

§ 3. Section 4303 of the insurance law is amended by adding a new subsection (vv) to read as follows:

(vv) (1) (A) Every policy that is issued, amended, renewed, effective, or delivered on or after January first, two thousand twenty-five and provides coverage for prescription drugs shall include coverage for at least one opioid antagonist and device. Prior authorization may be required for non-generic forms of opioid antagonists and devices.

(B) As used in this subsection "opioid antagonist and device" means a drug approved by the food and drug administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the body. "Opioid antagonist" shall be limited to naloxone and other medications approved by the department of health for such purpose.

(2) A contract subject to this subsection shall not impose a deductible, coinsurance, copayment, or any other cost-sharing requirement on such coverage provided pursuant to this subsection.

§ 4. This act shall take effect immediately and shall apply to policies and contracts issued, renewed, modified, altered or amended on or after such effective date.