STATE OF NEW YORK

3476

2023-2024 Regular Sessions

IN ASSEMBLY

February 3, 2023

Introduced by M. of A. DeSTEFANO, REILLY, SAYEGH -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to prohibiting insurance companies from imposing a co-pay pursuant to a follow up visit with a physician in order to receive a refill on an opioid drug prescription

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) Every policy which provides coverage for opioid drug prescriptions shall not impose any fee, co-payment, co-insurance, deductible or other condition on any insured who requires a follow up appointment to receive an additional opioid drug prescription or a refill of an opioid drug prescription after an initial prescription for such opioid drug prescription which was written for a period of seven days or less. Such prohibition on any fee, co-payment, co-insurance, deductible or other condition is limited to one visit or one refill after the initial appointment or prescription. Upon any subsequent consultation for the same pain, the practitioner may issue, in accordance with this subsection, any appropriate renewal, refill, or new prescription for the opioid or any other drug.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

LBD03588-01-3