STATE OF NEW YORK

4141

2023-2024 Regular Sessions

IN ASSEMBLY

February 10, 2023

Introduced by M. of A. FORREST -- 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:

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

(B) Such coverage may be subject to annual deductibles and coinsurance as may be deemed appropriate by the superintendent and as are consistent with those established for other benefits within a given policy; provided however, the total amount that [~~a covered person~~] an insured is required to pay out of pocket for covered prescription insulin drugs shall be capped in aggregate, including situations where the insured is prescribed more than one insulin drug, at an amount not to exceed [~~one hundred~~] thirty dollars per [~~thirty-day supply~~] calendar month, regardless of the amount or type of insulin needed to fill such [~~covered person's~~] insured's prescription and regardless of the insured's deductible, copayment, coinsurance or any other cost sharing requirement.

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

(B) Such coverage may be subject to annual deductibles and coinsurance as may be deemed appropriate by the superintendent and as are consistent with those established for other benefits within a given policy; provided however, the total amount that [~~a covered person~~] an insured is required to pay out of pocket for covered prescription insulin drugs shall be capped in aggregate, including situations where the insured is prescribed more than one insulin drug, at an amount not to exceed [~~one hundred~~] thirty dollars per [~~thirty-day supply~~] calendar month, regard-

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

LBD02649-02-3

less of the amount or type of insulin needed to fill such [~~covered person's~~] **insured's** prescription and regardless of the insured's deductible, copayment, coinsurance or any other cost sharing requirement.

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

(2) Such coverage may be subject to annual deductibles and coinsurance as may be deemed appropriate by the superintendent and as are consistent with those established for other benefits within a given policy; provided however, the total amount that [~~a covered person~~] **an enrollee** is required to pay out of pocket for covered prescription insulin drugs shall be capped **in aggregate, including situations where the enrollee is prescribed more than one insulin drug,** at an amount not to exceed [~~one hundred~~] **thirty** dollars per [~~thirty-day supply~~] **calendar month**, regardless of the amount or type of insulin needed to fill such [~~covered person's~~] **enrollee's** prescription and regardless of the [~~insured's~~] **enrollee's** deductible, copayment, coinsurance or any other cost sharing requirement.

§ 4. This act shall take effect immediately and shall apply to any policy or contract issued, renewed, modified, altered, or amended on or after January 1, 2024.