

# STATE OF NEW YORK

4141--A

2023-2024 Regular Sessions

## IN ASSEMBLY

February 10, 2023

Introduced by M. of A. FORREST, RAGA, GALLAGHER, SHRESTHA, GONZALEZ-ROJAS, ARDILA, ALVAREZ, DARLING, AUBRY, SIMON, COLTON, BURDICK, MAMDANI, CHANDLER-WATERMAN, MITAYNES, MEEKS, STECK, KELLES, BLUMENCRANZ, DeSTEFANO, WALKER, SEPTIMO, TAPIA, TAYLOR, THIELE, ANDERSON, TAGUE, BENDETT, HYNDMAN, DICKENS, DURSO, SIMONE, EPSTEIN, CRUZ, DAVILA, COOK, SHIMSKY, LUNSFORD, BORES, CURRAN, LEVENBERG, FLOOD, MAHER, JACOBSON, BURGOS, HUNTER, CUNNINGHAM, RAJKUMAR, CARROLL, SANTABARBARA, JACKSON, CLARK, REYES -- 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 prohibiting 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~~  
8 ~~to pay out of pocket for~~] covered prescription insulin drugs shall [~~be~~  
9 ~~capped at an amount not to exceed one hundred 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~~] not be  
12 subject to a deductible, copayment, coinsurance or any other cost shar-  
13 ing requirement.

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

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

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(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 is required to pay out of pocket for]~~ covered prescription insulin drugs shall ~~[be capped at an amount not to exceed one hundred dollars per thirty-day supply, regardless of the amount or type of insulin needed to fill such covered person's prescription and regardless of the insured's]~~ not be subject to a 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 is required to pay out of pocket for]~~ covered prescription insulin drugs shall ~~[be capped at an amount not to exceed one hundred dollars per thirty-day supply, regardless of the amount or type of insulin needed to fill such covered person's prescription and regardless of the insured's]~~ not be subject to a deductible, copayment, coinsurance or any other cost sharing requirement.

§ 4. This act shall take effect January 1, 2025 and shall apply to any policy or contract issued, renewed, modified, altered, or amended on or after such date.