STATE OF NEW YORK

8035

2023-2024 Regular Sessions

IN ASSEMBLY

September 13, 2023

Introduced by M. of A. STECK -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law and the public health law, in relation to electronic notification when prior authorization is required to fill a prescription

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

Section 1. Paragraphs 13 and 14 of subsection (b) of section 3217-a of the insurance law, as added by section 2 of part H of chapter 60 of the laws of 2014, are amended and a new paragraph 15 is added to read as follows:

(13) disclose whether a health care provider scheduled to provide a health care service is an in-network provider; [~~and~~]

(14) with respect to out-of-network coverage, disclose the approximate dollar amount that the insurer will pay for a specific out-of-network health care service. The insurer shall also inform the insured through such disclosure that such approximation is not binding on the insurer and that the approximate dollar amount that the insurer will pay for a specific out-of-network health care service may change[~~.~~]**; and**

(15) where applicable, allow an insured to request an electronic notification within thirty days when prior authorization is required to fill a prescription.

§ 2. Paragraphs 13 and 14 of subsection (b) of section 4324 of the insurance law, as added by section 9 of part H of chapter 60 of the laws of 2014, are amended and a new paragraph 15 is added to read as follows:

(13) disclose whether a health care provider scheduled to provide a health care service is an in-network provider; [~~and~~]

(14) with respect to out-of-network coverage, disclose the approximate dollar amount that the corporation will pay for a specific out-of-network health care service. The corporation shall also inform the insured through such disclosure that such approximation is not binding on the

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

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corporation and that the approximate dollar amount that the corporation will pay for a specific out-of-network health care service may change[~~.~~]**; and**

(15) where applicable, allow an insured to request an electronic notification within thirty days when prior authorization is required to fill a prescription.

§ 3. Paragraphs (m) and (n) of subdivision 2 of section 4408 of the public health law, as added by section 19 of part H of chapter 60 of the laws of 2014, are amended and a new paragraph (o) is added to read as follows:

(m) disclose whether a health care provider scheduled to provide a health care service is an in-network provider; [~~and~~]

(n) with respect to out-of-network coverage, disclose the approximate dollar amount that the health maintenance organization will pay for a specific out-of-network health care service. The health maintenance organization shall also inform an enrollee through such disclosure that such approximation is not binding on the health maintenance organization and that the approximate dollar amount that the health maintenance organization will pay for a specific out-of-network health care service may change[~~.~~]**; and**

(o) where applicable, allow an insured to request an electronic notification within thirty days when prior authorization is required to fill a prescription.

§ 4. This act shall take effect immediately.