

# STATE OF NEW YORK

1177

2023-2024 Regular Sessions

## IN SENATE

January 10, 2023

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law, in relation to mandating commercial insurance coverage of peer support services as part of treatment for substance use disorder

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

1 Section 1. Subparagraph (A) of paragraph 31 of subsection (i) of  
2 section 3216 of the insurance law, as amended by section 6 of subpart A  
3 of part BB of chapter 57 of the laws of 2019, is amended to read as  
4 follows:

5 (A) Every policy that provides medical, major medical or similar  
6 comprehensive-type coverage shall provide outpatient coverage for the  
7 diagnosis and treatment of substance use disorder, including detoxifica-  
8 tion and rehabilitation services and also including peers certified by  
9 the office of mental health and peer support services provided by a  
10 certified recovery peer advocate as defined by the office of addiction  
11 services and supports. Such coverage shall not apply financial require-  
12 ments or treatment limitations to outpatient substance use disorder  
13 benefits that are more restrictive than the predominant financial  
14 requirements and treatment limitations applied to substantially all  
15 medical and surgical benefits covered by the policy.

16 § 2. Subparagraph (A) of paragraph 7 of subsection (1) of section 3221  
17 of the insurance law, as amended by section 16 of subpart A of part BB  
18 of chapter 57 of the laws of 2019, is amended to read as follows:

19 (A) Every policy that provides medical, major medical or similar  
20 comprehensive-type coverage shall provide outpatient coverage for the  
21 diagnosis and treatment of substance use disorder, including detoxifica-  
22 tion and rehabilitation services and also including peers certified by  
23 the office of mental health and peer support services provided by a  
24 certified recovery peer advocate as defined by the office of addiction

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

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1 services and supports. Such coverage shall not apply financial require-  
2 ments or treatment limitations to outpatient substance use disorder  
3 benefits that are more restrictive than the predominant financial  
4 requirements and treatment limitations applied to substantially all  
5 medical and surgical benefits covered by the policy.

6 § 3. Paragraph 1 of subsection (1) of section 4303 of the insurance  
7 law, as amended by section 27 of subpart A of part BB of chapter 57 of  
8 the laws of 2019, is amended to read as follows:

9 (1) Every contract that provides medical, major medical or similar  
10 comprehensive-type coverage shall provide outpatient coverage for the  
11 diagnosis and treatment of substance use disorder, including detoxifica-  
12 tion and rehabilitation services and also including peers certified by  
13 the office of mental health and peer support services provided by a  
14 certified recovery peer advocate as defined by the office of addiction  
15 services and supports. Such coverage shall not apply financial require-  
16 ments or treatment limitations to outpatient substance use disorder  
17 benefits that are more restrictive than the predominant financial  
18 requirements and treatment limitations applied to substantially all  
19 medical and surgical benefits covered by the contract.

20 § 4. This act shall take effect on the thirtieth day after it shall  
21 have become a law.