STATE OF NEW YORK

2682

2023-2024 Regular Sessions

IN SENATE

January 24, 2023

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

AN ACT to amend the insurance law and the public health law, in relation to protecting certain therapeutic classes from step therapy

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

Section 1. Subsection (a) of section 4902 of the insurance law is amended by adding a new paragraph 14 to read as follows:

(14) When establishing a step therapy protocol, a utilization review agent shall ensure that such protocol shall not apply to medically necessary prescription drugs in the dermatologic, hematology, ophthalmologic, rheumatic, gastrointestinal, neurology, and oncology therapeutic classes, including non-formulary drugs.

§ 2. Section 4902 of the public health law is amended by adding a new subdivision 5 to read as follows:

5. When establishing a step therapy protocol, a utilization review agent shall ensure that such protocol shall not apply to medically necessary prescription drugs in the dermatologic, hematology, ophthalmologic, rheumatic, gastrointestinal, neurology, and oncology therapeutic classes, including non-formulary drugs.

§ 3. This act shall take effect immediately.

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

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