

STATE OF NEW YORK

3519

2023-2024 Regular Sessions

IN SENATE

January 31, 2023

Introduced by Sen. FERNANDEZ -- 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 (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD01263-02-3

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.