

# STATE OF NEW YORK

9906

## IN SENATE

September 11, 2024

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

AN ACT to amend the insurance law, in relation to requiring coverage of asthma inhalers at no cost

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

1 Section 1. Subsection (i) of section 3216 of the insurance law is  
2 amended by adding a new paragraph 40 to read as follows:

3 (40) (A) Every policy which provides medical coverage that includes  
4 coverage for physician services in a physician's office and every policy  
5 which provides major medical or similar comprehensive-type coverage  
6 shall include coverage for inhalers for the treatment of asthma if  
7 recommended or prescribed by a physician or other licensed health care  
8 provider legally authorized to prescribe under title eight of the educa-  
9 tion law.

10 (B) Such coverage shall not be subject to a deductible, copayment,  
11 coinsurance or any other cost-sharing requirement.

12 § 2. Subsection (l) of section 3221 of the insurance law is amended by  
13 adding a new paragraph 23 to read as follows:

14 (23) (A) Every group or blanket accident and health insurance policy  
15 issued or issued for delivery in this state which provides medical  
16 coverage that includes coverage for physician services in a physician's  
17 office and every policy which provides major medical or similar compre-  
18 hensive-type coverage shall include coverage for inhalers for the treat-  
19 ment of asthma if recommended or prescribed by a physician or other  
20 licensed health care provider legally authorized to prescribe under  
21 title eight of the education law.

22 (B) Such coverage shall not be subject to a deductible, copayment,  
23 coinsurance or any other cost-sharing requirement.

24 § 3. Section 4303 of the insurance law is amended by adding a new  
25 subsection (ww) to read as follows:

26 (ww) (1) A medical expense indemnity corporation or a health service  
27 corporation which provides medical coverage that includes coverage for  
28 physician services in a physician's office and every policy which

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

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1 provides major medical or similar comprehensive-type coverage shall  
2 include coverage for inhalers for the treatment of asthma if recommended  
3 or prescribed by a physician or other licensed health care provider  
4 legally authorized to prescribe under title eight of the education law.

5 (2) Such coverage shall not be subject to a deductible, copayment,  
6 coinsurance or any other cost-sharing requirement.

7 § 4. This act shall take effect immediately and shall apply to all  
8 policies and contracts issued, renewed, modified, altered, or amended on  
9 or after such date.