

# STATE OF NEW YORK

10461

## IN ASSEMBLY

May 29, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Simone) --  
read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to copayments of pre-exposure or post-exposure prophylaxis

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

1 Section 1. Paragraph 21 of subsection (l) of section 3221 of the  
2 insurance law, as amended by chapter 79 of the laws of 2023, is amended  
3 to read as follows:

4 (21) Every large group policy which provides medical, major medical,  
5 or comprehensive-type coverage shall include coverage for the cost of  
6 pre-exposure prophylaxis (PrEP) for the prevention of HIV and post-exposure  
7 prophylaxis to prevent HIV infection. Such coverage may be subject  
8 to annual deductibles [~~and~~], coinsurance, and copayments as may be  
9 deemed appropriate by the superintendent and as are consistent with  
10 those established for other benefits within a given policy, unless the  
11 pre-exposure prophylaxis (PrEP) or post-exposure prophylaxis has in  
12 effect a rating of 'A' or 'B' in the current recommendations of the  
13 United States preventive services task force.

14 § 2. Subsection (tt) of section 4303 of the insurance law, as amended  
15 by chapter 79 of the laws of 2023, is amended to read as follows:

16 (tt) Every large group contract issued by a hospital services corpo-  
17 ration or a health services corporation which provides medical, major  
18 medical, or comprehensive-type coverage shall include coverage for the  
19 cost of pre-exposure prophylaxis (PrEP) for the prevention of HIV and  
20 post-exposure prophylaxis to prevent HIV infection. Such coverage may be  
21 subject to annual deductibles [~~and~~], coinsurance, and copayments as may  
22 be deemed appropriate by the superintendent and as are consistent with  
23 those established for other benefits within a given contract, unless the  
24 pre-exposure prophylaxis (PrEP) or post-exposure prophylaxis has in  
25 effect a rating of 'A' or 'B' in the current recommendations of the  
26 United States preventive services task force.

27 § 3. This act shall take effect immediately and shall apply to all  
28 policies and contracts issued, renewed, modified, altered or amended on  
29 or after such date.

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

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