

STATE OF NEW YORK

4141

2023-2024 Regular Sessions

IN ASSEMBLY

February 10, 2023

Introduced by M. of A. FORREST -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to capping cost sharing for insulin

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

1 Section 1. Subparagraph (B) of paragraph 15-a of subsection (i) of
2 section 3216 of the insurance law, as amended by section 1 of part DDD
3 of chapter 56 of the laws of 2020, is amended to read as follows:

4 (B) Such coverage may be subject to annual deductibles and coinsurance
5 as may be deemed appropriate by the superintendent and as are consistent
6 with those established for other benefits within a given policy;
7 provided however, the total amount that [~~a covered person~~] an insured is
8 required to pay out of pocket for covered prescription insulin drugs
9 shall be capped in aggregate, including situations where the insured is
10 prescribed more than one insulin drug, at an amount not to exceed [~~one~~
11 ~~hundred~~] thirty dollars per [~~thirty-day supply~~] calendar month, regard-
12 less of the amount or type of insulin needed to fill such [~~covered~~
13 ~~person's~~] insured's prescription and regardless of the insured's deduct-
14 ible, copayment, coinsurance or any other cost sharing requirement.

15 § 2. Subparagraph (B) of paragraph 7 of subsection (k) of section 3221
16 of the insurance law, as amended by section 2 of part DDD of chapter 56
17 of the laws of 2020, is amended to read as follows:

18 (B) Such coverage may be subject to annual deductibles and coinsurance
19 as may be deemed appropriate by the superintendent and as are consistent
20 with those established for other benefits within a given policy;
21 provided however, the total amount that [~~a covered person~~] an insured is
22 required to pay out of pocket for covered prescription insulin drugs
23 shall be capped in aggregate, including situations where the insured is
24 prescribed more than one insulin drug, at an amount not to exceed [~~one~~
25 ~~hundred~~] thirty dollars per [~~thirty-day supply~~] calendar month, regard-

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

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1 less of the amount or type of insulin needed to fill such [~~covered~~
2 ~~person's~~] insured's prescription and regardless of the insured's deduct-
3 ible, copayment, coinsurance or any other cost sharing requirement.

4 § 3. Paragraph 2 of subsection (u) of section 4303 of the insurance
5 law, as amended by section 3 of part DDD of chapter 56 of the laws of
6 2020, is amended to read as follows:

7 (2) Such coverage may be subject to annual deductibles and coinsurance
8 as may be deemed appropriate by the superintendent and as are consistent
9 with those established for other benefits within a given policy;
10 provided however, the total amount that [~~a covered person~~] an enrollee
11 is required to pay out of pocket for covered prescription insulin drugs
12 shall be capped in aggregate, including situations where the enrollee is
13 prescribed more than one insulin drug, at an amount not to exceed [~~one~~
14 ~~hundred~~] thirty dollars per [~~thirty-day supply~~] calendar month, regard-
15 less of the amount or type of insulin needed to fill such [~~covered~~
16 ~~person's~~] enrollee's prescription and regardless of the [~~insured's~~]
17 enrollee's deductible, copayment, coinsurance or any other cost sharing
18 requirement.

19 § 4. This act shall take effect immediately and shall apply to any
20 policy or contract issued, renewed, modified, altered, or amended on or
21 after January 1, 2024.