

# STATE OF NEW YORK

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943--A

2023-2024 Regular Sessions

## IN ASSEMBLY

January 11, 2023

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Introduced by M. of A. L. ROSENTHAL -- read once and referred to the Committee on Insurance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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

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

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1 certified recovery peer advocate as defined by the office of addiction  
2 services and supports. Such coverage shall not apply financial require-  
3 ments or treatment limitations to outpatient substance use disorder  
4 benefits that are more restrictive than the predominant financial  
5 requirements and treatment limitations applied to substantially all  
6 medical and surgical benefits covered by the policy.

7 § 3. Paragraph 1 of subsection (1) of section 4303 of the insurance  
8 law, as amended by section 27 of subpart A of part BB of chapter 57 of  
9 the laws of 2019, is amended to read as follows:

10 (1) Every contract that provides medical, major medical or similar  
11 comprehensive-type coverage shall provide outpatient coverage for the  
12 diagnosis and treatment of substance use disorder, including detoxifica-  
13 tion and rehabilitation services and also including peers certified by  
14 the office of mental health and peer support services provided by a  
15 certified recovery peer advocate as defined by the office of addiction  
16 services and supports. Such coverage shall not apply financial require-  
17 ments or treatment limitations to outpatient substance use disorder  
18 benefits that are more restrictive than the predominant financial  
19 requirements and treatment limitations applied to substantially all  
20 medical and surgical benefits covered by the contract.

21 § 4. This act shall take effect on the thirtieth day after it shall  
22 have become a law.