STATE OF NEW YORK

4275

2023-2024 Regular Sessions

IN SENATE

February 7, 2023

Introduced by Sen. LANZA -- 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 permitting prescription refills to be filled fifteen days prior to their refill date during a state disaster emergency

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

Section 1. Subsection (c) of section 3242 of the insurance law, as added by chapter 793 of the laws of 2022, is relettered subsection (d) and a new subsection (e) is added to read as follows:

(e) Every policy delivered or issued for delivery in this state that provides coverage for prescription drugs shall include in the policy a process that allows an insured, the insured's designee, or the insured's prescribing health care provider to obtain any current prescription of the insured, with the exception of schedule II and schedule III controlled substances, fifteen days prior to the scheduled refill date, at the same level of coverage as a normal refill of such prescription drug upon the declaration of a state disaster emergency pursuant to section twenty-eight of the executive law.

§ 2. Subsection (c) of section 4329 of the insurance law, as added by chapter 793 of the laws of 2022, is relettered subsection (d) and a new subsection (e) is added to read as follows:

(e) Every policy delivered or issued for delivery in this state that provides coverage for prescription drugs shall include in the policy a process that allows an insured, the insured's designee, or the insured's prescribing health care provider to obtain any current prescription of the insured, with the exception of schedule II and schedule III controlled substances, fifteen days prior to the scheduled refill date, at the same level of coverage as a normal refill of such prescription drug upon the declaration of a state disaster emergency pursuant to section twenty-eight of the executive law.

§ 3. This act shall take effect immediately.

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

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