STATE OF NEW YORK

5380

2023-2024 Regular Sessions

IN SENATE

March 3, 2023

Introduced by Sen. HARCKHAM -- 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 requiring health insurers to provide coverage for opioid antagonists and devices

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

Section 1. Subsection (i) of section 3216 of the insurance law is amended by adding a new paragraph 39 to read as follows:

(39) (A) (i) Every policy which provides coverage for prescription drugs shall include coverage for at least one opioid antagonist and device. Prior authorization may be required for non-generic forms of opioid antagonists and devices.

(ii) As used in this paragraph "opioid antagonist and device" means a drug approved by the food and drug administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the body. "Opioid antagonist" shall be limited to naloxone and other medications approved by the department of health for such purpose.

(B) The coverage mandated by this paragraph shall include opioid antagonists prescribed or dispensed via standing order or collaborative practice agreement intended for use on patients other than the insured.

(C) Coverage provided under this paragraph may be subject to annual deductibles and co-insurance as deemed appropriate by the superintendent and that are consistent with those imposed on other benefits within a given policy.

§ 2. Subsection (l) of section 3221 of the insurance law is amended by adding a new paragraph 7-c to read as follows:

(7-c) (A) (i) Every policy which provides coverage for prescription drugs shall include coverage for at least one opioid antagonist and device. Prior authorization may be required for non-generic forms of opioid antagonists and devices.

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

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(ii) As used in this paragraph "opioid antagonist and device" means a drug approved by the food and drug administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the body. "Opioid antagonist" shall be limited to naloxone and other medications approved by the department of health for such purpose.

(B) The coverage mandated by this paragraph shall include opioid antagonists prescribed or dispensed via standing order or collaborative practice agreement intended for use on patients other than the insured.

(C) Coverage provided under this paragraph may be subject to annual deductibles and co-insurance as deemed appropriate by the superintendent and that are consistent with those imposed on other benefits within a given policy.

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

(uu) (1) (A) Every policy which provides coverage for prescription drugs shall include coverage for at least one opioid antagonist and device. Prior authorization may be required for non-generic forms of opioid antagonists and devices.

(B) As used in this subsection "opioid antagonist and device" means a drug approved by the food and drug administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the body. "Opioid antagonist" shall be limited to naloxone and other medications approved by the department of health for such purpose.

(2) Coverage provided under this subsection may be subject to annual deductibles and co-insurance as deemed appropriate by the superintendent and that are consistent with those imposed on other benefits within a given policy.

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