STATE OF NEW YORK

7804

2023-2024 Regular Sessions

IN SENATE

December 13, 2023

Introduced by Sen. RHOADS -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the workers' compensation law, in relation to permitting payment of testing performed or medications obtained out of network at the negotiated network rate

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

Section 1. Subdivision (i) of section 13 of the workers' compensation law is amended by adding a new paragraph 6 to read as follows:

(6) A non-network pharmacy that provides causally related medications to a claimant shall be entitled to payment at the network rate negotiated between the carrier and the pharmacy network if the carrier's network provides mail order service or is located within a reasonable distance from the claimant.

§ 2. Subdivision 7 of section 13-a of the workers' compensation law is amended by adding a new paragraph (e) to read as follows:

(e) Any special diagnostic tests, x-ray examinations, magnetic resonance imaging or other radiological examinations or tests costing more than one thousand dollars performed by a provider who is not a member of the carrier's, self insured's or state insurance fund's diagnostic networks, shall be entitled to payment at the negotiated network rate.

§ 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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