STATE OF NEW YORK

8367

IN SENATE

January 23, 2024

Introduced by Sen. HOYLMAN-SIGAL -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance

AN ACT to amend the insurance law and the social services law, in relation to capping cost sharing for oral antiviral COVID-19 therapeutics

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) Every policy that provides coverage for prescription drugs shall provide coverage for oral antiviral therapeutics approved by the food and drug administration for the treatment of COVID-19.

(B) The coverage required pursuant to subparagraph (A) of this paragraph shall not be subject to annual deductibles or coinsurance.

§ 2. Subsection (k) of section 3221 of the insurance law is amended by adding a new paragraph 23 to read as follows:

(23) (A) Every policy that provides coverage for prescription drugs shall provide coverage for oral antiviral therapeutics approved by the food and drug administration for the treatment of COVID-19.

(B) The coverage required pursuant to subparagraph (A) of this paragraph shall not be subject to annual deductibles or coinsurance.

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

(vv) (1) Every contract issued by a medical expense indemnity corporation, a hospital service corporation or a health service corporation for delivery in this state that provides medical, major medical or similar comprehensive-type coverage and provides coverage for prescription drugs shall provide coverage for prescribed oral antiviral therapeutics approved by the food and drug administration for the treatment of COVID-19.

(2) Such coverage required pursuant to paragraph one of this subsection shall not be subject to annual deductibles or coinsurance.

§ 4. Subdivision 2 of section 365-a of the social services law is amended by adding a new paragraph (nn) to read as follows:

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

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(nn) prescribed oral antiviral therapeutics approved by the food and drug administration for the treatment of COVID-19. Coverage required pursuant to this paragraph shall be provided at no cost to the insured.

§ 5. This act shall take effect immediately and shall apply to any policy or contract issued, renewed, modified, altered, or amended on or after January 1, 2025.