

STATE OF NEW YORK

7149

2025-2026 Regular Sessions

IN ASSEMBLY

March 20, 2025

Introduced by M. of A. BICHOTTE HERMELYN, GIBBS, KIM -- read once and referred to the Committee on Health

AN ACT to amend the social services law, in relation to requiring managed care providers that provide coverage for prescription drugs to provide coverage for home delivery of any covered prescription drug by any non-mail-order retail pharmacy in the managed care provider network

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

1 Section 1. Paragraph (u) of subdivision 4 of section 364-j of the
2 social services law, as amended by section 12 of part A of chapter 56 of
3 the laws of 2013, is amended to read as follows:

4 (u) A managed care provider that provides coverage for prescription
5 drugs shall permit each participant to fill any mail order covered
6 prescription, at [~~his or her~~] the participant's option, at any mail
7 order pharmacy or non-mail-order retail pharmacy in the managed care
8 provider network. A managed care provider that provides coverage for
9 prescription drugs shall also provide coverage for home delivery of any
10 covered prescription drug by any non-mail-order retail pharmacy in the
11 managed care provider network. If the managed care provider has desig-
12 nated one or more pharmacies for filling prescriptions for a particular
13 drug or drugs, then such prescriptions may be filled, at the partic-
14 ipant's option, at any other pharmacy in the network, if the network
15 pharmacy chosen by the participant offers to accept a price that is
16 comparable to that of the pharmacy designated by the managed care
17 provider. For the purposes of this section, "mail order pharmacy" means
18 a pharmacy whose primary business is to receive prescriptions by mail,
19 telefax or through electronic submissions, and to dispense medication to
20 patients through the use of the United States mail or other common or
21 contract carrier services, and provides any consultation with patients
22 electronically rather than face to face. Every non-mail-order retail

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

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1 pharmacy in the managed care provider's network with respect to any
2 prescription drug shall be deemed to be in the managed care provider's
3 network for every covered prescription drug.

4 § 2. This act shall take effect on the one hundred eightieth day after
5 it shall have become a law, and shall apply to all contracts, agreements
6 and leases entered into on or after such date; provided that the amend-
7 ments to section 364-j of the social services law made by section one of
8 this act shall not affect the repeal of such section and shall be deemed
9 repealed therewith.