

# STATE OF NEW YORK

3555

2025-2026 Regular Sessions

## IN SENATE

January 28, 2025

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

AN ACT to amend the elder law, in relation to establishing the expanded pharmaceutical insurance coverage panel

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

1 Section 1. The elder law is amended by adding a new section 242-a to  
2 read as follows:

3 § 242-a. Expanded pharmaceutical insurance coverage panel. 1. There  
4 is hereby established within the executive department, a panel to be  
5 known as the "expanded pharmaceutical insurance coverage panel". For the  
6 purposes of this section, the term "the panel" shall mean the expanded  
7 pharmaceutical insurance coverage panel.

8 2. The panel shall consist of the commissioners of the departments of  
9 education and health, the superintendent of the department of financial  
10 services, and the directors of the office for the aging and the division  
11 of the budget. Each panel member may designate an officer of their  
12 respective department, office, or division to represent and exercise all  
13 the powers of such panel member at any meeting of the panel from which  
14 such panel member may be absent.

15 3. The director of the office for the aging and the commissioner of  
16 health shall serve as co-chairs of the panel.

17 4. The panel shall meet at such times as may be requested by the  
18 co-chairs, provided that the panel shall meet at least two times a year.

19 5. The panel shall:

20 (a) subject to the approval of the director of the budget, promulgate  
21 program regulations pursuant to section two hundred forty-six of this  
22 title;

23 (b) determine the annual schedule of cost-sharing responsibilities of  
24 eligible program participants pursuant to sections two hundred forty-  
25 seven and two hundred forty-eight of this title;

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

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1 (c) enter into contracts pursuant to section two hundred forty-three  
2 of this title;

3 (d) recommend and implement alternative program improvements for the  
4 efficient and effective operation of the program in accordance with the  
5 provisions of this title with the advice of the advisory committee as  
6 defined in subdivision seven of this section;

7 (e) develop and implement, in cooperation with area offices for the  
8 aging, an outreach program to inform eligible applicants of benefits  
9 they may be entitled to pursuant to this title, and to make available  
10 information concerning the program for expanded pharmaceutical insurance  
11 coverage and benefits to which they may be entitled through a  
12 prescription drug coverage program funded by the federal government; and

13 (f) prepare an annual report and submit such report to the governor,  
14 the temporary president of the senate, and the speaker of the assembly  
15 no later than the first day of January of each year. The panel shall  
16 include in such report, at a minimum, annual statistical information  
17 regarding the number of persons enrolled in the program by marital  
18 status and income level and age, an estimate of the per cent of eligible  
19 New York residents that are enrolled, the total number of enrollees that  
20 receive an income-related subsidy under section 1860D-14 of the federal  
21 social security act, and the number that so qualify through their  
22 enrollment in the medicare savings program, the numbers of participating  
23 provider pharmacies, recipients and payments by county, a summary of the  
24 administrative cost containment initiatives completed during the year,  
25 projections of program costs for the following two years, and an evalu-  
26 ation of the performance of the program contractor or contractors and of  
27 the cost effectiveness of all outreach efforts.

28 6. The panel members shall receive no compensation for their services  
29 as panel members.

30 7. There shall be an advisory committee to the panel comprised of  
31 twelve persons. Four members shall be appointed by the governor, three  
32 members shall be appointed by the temporary president of the senate, one  
33 member shall be appointed by the minority leader of the senate, three  
34 members shall be appointed by the speaker of the assembly and one member  
35 shall be appointed by the minority leader of the assembly. The commit-  
36 tee members shall be representatives of consumers, pharmacists, pharma-  
37 ceutical drug manufacturers and pharmaceutical wholesalers. No less than  
38 sixty percent of the committee membership shall represent consumers.  
39 Committee members shall receive no compensation for their services but  
40 shall be allowed their actual and necessary expenses incurred in the  
41 performance of their duties.

42 § 2. This act shall take effect immediately.