STATE OF NEW YORK

1804

2025-2026 Regular Sessions

IN SENATE

January 13, 2025

Introduced by Sens. RIVERA, ADDABBO -- 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 coverage of asthma inhalers at no cost

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 40 to read as follows:

(40) (A) Every policy which provides medical coverage that includes coverage for physician services in a physician's office and every policy which provides major medical or similar comprehensive-type coverage shall include coverage for inhalers for the treatment of asthma if recommended or prescribed by a physician or other licensed health care provider legally authorized to prescribe under title eight of the education law.

(B) Such coverage shall not be subject to a deductible, copayment, coinsurance or any other cost-sharing requirement.

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

(23) (A) Every group or blanket accident and health insurance policy issued or issued for delivery in this state which provides medical coverage that includes coverage for physician services in a physician's office and every policy which provides major medical or similar comprehensive-type coverage shall include coverage for inhalers for the treatment of asthma if recommended or prescribed by a physician or other licensed health care provider legally authorized to prescribe under title eight of the education law.

(B) Such coverage shall not be subject to a deductible, copayment, coinsurance or any other cost-sharing requirement.

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

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

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(ww) (1) A medical expense indemnity corporation or a health service corporation which provides medical coverage that includes coverage for physician services in a physician's office and every policy which provides major medical or similar comprehensive-type coverage shall include coverage for inhalers for the treatment of asthma if recommended or prescribed by a physician or other licensed health care provider legally authorized to prescribe under title eight of the education law.

(2) Such coverage shall not be subject to a deductible, copayment, coinsurance or any other cost-sharing requirement.

§ 4. This act shall take effect immediately and shall apply to all policies and contracts issued, renewed, modified, altered, or amended on or after such date.