STATE OF NEW YORK

XXXX

2019-2020 Regular Session

IN ASSEMBLY

February XX, 2019

Introduced by \_\_\_\_\_\_\_\_\_-- Read once and referred to the Committee on Insurance.

AN ACT To amend the insurance law, in relation to requiring certain coverage specifications for medications for the treatment of substance use disorders.

Section 1. Paragraph 31-a of subsection (i) of section 3216 of the insurance law, is amended by adding a new subparagraph (D) to read as follows:

(D) Every policy that provides hospital, major medical, or other comprehensive coverage provides prescription drugs for medication for the treatment of substance use disorders shall:

(i) not impose any step therapy requirements before approval of coverage for a prescription medication approved by the FDA for the treatment of substance use disorders;

(ii) place all prescription medications approved by the FDA for the treatment of substance use disorders on the lowest tier of the drug formulary; and

(iii) not exclude coverage for any prescription medication approved by the FDA for the treatment of substance use disorders and any associated counseling or wraparound services on the grounds that such medications and services were court ordered.

S. 2 Paragraph 7b of subsection (l) of section 3221 of the insurance law is amended by adding a new subparagraph (D) to read as follows:

(D) Every policy that provides hospital, major medical, or other comprehensive coverage and provides prescription drugs for medication for the treatment of substance use disorders shall:

(i) not impose any step therapy requirements before approval of coverage for a prescription medication approved by the FDA for the treatment of substance use disorders;

(ii) place all prescription medications approved by the FDA for the treatment of substance use disorders on the lowest tier of the drug formulary; and

(iii) not exclude coverage for any prescription medication approved by the FDA for the treatment of substance use disorders and any associated counseling or wraparound services on the grounds that such medications and services were court ordered.

S. 3 Subsection (l-2) of section 4303 is amended by adding a new paragraph (4) to read as follows

(4) Every contract that provides medical, major medical or similar comprehensive-type coverage and provides coverage for prescription drugs for medication for the treatment of a substance use disorder shall:

(A) not impose any step therapy requirements before approval of coverage for a prescription medication approved by the FDA for the treatment of substance use disorders;

(B) place all prescription medications approved by the FDA for the treatment of substance use disorders on the lowest tier of the drug formulary; and

(C) not exclude coverage for any prescription medication approved by the FDA for the treatment of substance use disorders and any associated counseling or wraparound services on the grounds that such medications and services were court ordered.

S. 4 This act shall take effect on the thirtieth day after it shall have become law.