



**New York State YMCA**  
**Youth And Government**

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FOR HEALTHY LIVING  
FOR SOCIAL RESPONSIBILITY

Committee Assignment: Assembly Liberty 4

Bill #:AL-30

1 **Sponsors:**Kenan Kapetanovic, Marco Reggiardo, Aidan Knoebel, Alen Kapetanovic,  
2 Jackson Koether

3  
4 **An Act To:** amend the insurance law, in relation to requiring health insurance plans  
5 to provide coverage for epi-pens for individuals eighteen years old and younger

6  
7 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

8  
9 **Purpose**

10 To provide medically necessary epinephrine injectors for persons 18 years of age or  
11 under free of charge

12  
13 **Summary of Provisions**

14 **Section 1**

15  
16 Epinephrine Auto-Injector Device (Epi-Pen) - a single-use device used for the  
17 automatic injection of a premeasured dose of epinephrine into the human body,  
18 approved by the U.S. Food and Drug Administration for the purpose of emergency  
19 treatment of a person appearing to experience anaphylactic symptoms.

20  
21 **Section 2**

22 Subsection (i) of section 3216 of the insurance law is amended by adding a new  
23 paragraph 36 to read as follows: (36) Every insurer issuing a policy of accident and  
24 health insurance delivered or issued for delivery in this state shall make available  
25 and, if requested by the insured, provide coverage of medically necessary  
26 epinephrine auto-injector devices for any insured individual who is eighteen years old  
27 or younger without premiums or copays increasing.

28  
29 § 2. Subsection (k) of section 3221 of the insurance law is amended by adding a new  
30 paragraph 22 to read as follows: (22) Every group or blanket policy of accident and  
31 health insurance delivered or issued for delivery in this state which provides hospital,  
32 surgical or medical coverage shall make available and, if requested by the insured,  
33 provide coverage of medically necessary epinephrine auto-injector devices for any  
34 insured individual who is eighteen years old or younger.

35  
36 § 3. Section 4303 of the insurance law is amended by adding a new subsection  
37 (ss) to read as follows: (ss) Every medical expense indemnity corporation, hospital  
38 service corporation and health service corporation which provides coverage for



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39 medical, surgical or major medical care shall make available and, if requested by the  
40 covered person, provide coverage of medically necessary epinephrine auto-injector  
41 devices for any insured individual who is eighteen years old or younger.

42

43 **Justification**

44 EpiPens, which are an epinephrine auto-injector used to treat allergic reactions, have  
45 seen its price rise from \$57 in 2007 to about \$650 in 2019. Many families who have  
46 insurance are able to drive this price down to an extent, but it is still an outrageous  
47 amount of money. In the majority of situations, parents are required to buy multiples  
48 to have an EpiPen at all times and they have to be prepared to supply EpiPens to  
49 places that their child is frequently attending. EpiPens are used to treat a person that  
50 is showing signs of a severe allergic reaction. Whether it is caused by insects, foods,  
51 or drugs, these devices are vital to saving the life of a child who is prone to severe  
52 allergic reactions. These devices are only good for usage one time and also expire  
53 after eighteen months. This might seem like a small amount of money for families to  
54 pay but companies shouldnt be able to put a price on human life. Families should not  
55 have to pay enormous sums of money to have a device that could save their child's  
56 life at any given time. A private insurance plan might cover the device but may still  
57 require a consumer to pay hundreds of dollars out-of-pocket for it because the  
58 consumer hasn't met an annual deductible. Our plan aims to provide this life saving  
59 product while keeping insurance plans from increasing for the people in New York  
60 State.

61 **Fiscal Implications**

62 There will not be any fiscal implications to the State of New York. The health insurance  
63 companies will be required to pay the expenses for the EpiPen that is accumulated  
64 from the families of the child whose life depends on these devices.

65 **Environmental Implications**

66 Based on the Environmental Protection Agency's (EPA) P-list of acute hazardous  
67 wastes, epinephrine is regulated under waste code P042. Empty EpiPens that have  
68 been dispensed in the care of a patient may be disposed of as regular medical waste,  
69 that is, placed in a Sharps container or a medical red bag. One can usually tell if an  
70 EpiPen is a P-list waste (and if it must be disposed of as medical of acute hazardous  
71 waste) or not by looking at the manufacturer's label: if epinephrine hydrochloride,  
72 sodium chloride, or sodium metabisulfite are listed, then it is usually not a P-list  
73 waste.

74 **Effective Date** Effective immediately.

75 This bill will go immediately into effect on January 1st, 2021 and shall apply to any  
76 contract, renewal, or extension of contract dated after this act shall have become a  
77 law.