

DATE – 07.13.23

TO: BEHAVIORAL HEALTH PROVIDERS

RE: PROHIBITING COPAYS FOR TREATMENT AT AN OPIOID TREATMENT PROGRAM (OTP) | NYS SENATE BILL S5690

QUALIFIED HEALTH PLANS, ESSENTIAL PLANS, METROPLUS GOLD, GOLDCARE I & GOLDCARE II

SUMMARY

Consistent with the amendments to the State Health Insurance Law, **effective January 1, 2023**, health insurance plans are prohibited from imposing a copayment or coinsurance upon QHP, Essential Plan, Gold, and GoldCare I & Goldcare II members during the course of treatment in an opioid treatment program.

“**Opioid Treatment Program**” or OTP for purposes of the new rule means a program or practitioner engaged in opioid treatment of individuals with an opioid agonist treatment medication. This rule will prohibit multiple co-payments for OTP services for the duration of the treatment received.

The prohibition:

- On copayments and coinsurance for treatment at an opioid treatment program applies to in-network services only.
- On copayments and coinsurance to medication provided at an opioid treatment program for home use.
- Is not limited to opioid antagonist medications or the administration of such medication at an opioid treatment program. To the extent that other services are provided at an opioid treatment program, a policy is prohibited from imposing a copayment or coinsurance on such services is not limited to methadone treatment programs. Opioid treatment programs (OTPs) are OASAS-certified sites where medication to treat opioid dependency is administered. These medications can include methadone, buprenorphine, and suboxone. In addition to medications, OTPs also offer counseling services.

The prohibition does not apply to:

- If a policy contains a deductible. treatment at an opioid treatment program may be subject to the deductible.
- Copayments and coinsurance to medication obtained at a retail pharmacy.
- To the extent that Suboxone or other substance use disorder (SUD) medication is prescribed and obtained at a pharmacy, rather than administered at an opioid treatment program, a policy would not be prohibited from imposing the applicable prescription drug copayment or coinsurance.