



# S.688 (Hoylman) / A.807 (O'Donnell)

STAFF CONTACT : Lev Ginsburg, Esq. | Counsel | 518-694-4462

<b>BILL</b> S.688 (Hoylman) / A.807 (O'Donnell)
<b>SUBJECT</b> HIV Pre-Exposure Prophylaxis and Post- Exposure Prophylaxis Mandate and the Prohibition of Prior Authorization of these Medications
<b>DATE</b> January 01, 2022
<b>OPPOSE</b>

The Business Council of New York State opposes S.688 (Hoylman) / A.807 (O'Donnell), mandating coverage for pre-exposure prophylaxis and post-exposure prophylaxis and prohibiting prior authorization of these medications.

This bill would impose another unfunded mandate the cost of which will be borne solely by those with coverage in the commercial market, a group made up of mostly small businesses. New York already imposes over three dozen unfunded mandates on the private insurance purchased by these small businesses. These mandates drive up costs for all these businesses, and this particular mandate would increase costs at a time when these very businesses are struggling to mere survive.

While the merits of any single mandate may be sound and the may not be overwhelming as a stand-alone, the total impact of all mandates has greatly contributed to New York being in the top three most expensive states in the Union in terms of health insurance premiums. That is why, in 2007, the Legislature created the New York State Health Care Quality and Cost Containment Commission, which was charged with analyzing the impact on health-insurance costs of any proposed legislation that would mandate health benefits being offered or made available in individual and group health-insurance policies.

Unfortunately, this Commission was never appointed and the law was subsequently undone. We are living in unprecedented times, the economic fall-out from which is yet to be fully understood. The Business Council believes that any discussion of additional coverage mandates should be held in abeyance until such time as the Legislature once again creates a mechanisms to truly prepare cost/benefit analysis and reports on unfunded private insurance mandates on the cost of healthcare in New York.

For these reasons, The Business Council opposes approval of S.688 (Hoylman) / A.807 (O'Donnell).