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SENATE BILL NO. 257

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Labor and Commerce on February 26, 2026)

(Patron Prior to Substitute—Senator Favola)

A BILL to amend the Code of Virginia by adding a section numbered 38.2-3407.18:1, relating to health insurance; requirements for certain opioid antagonists.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 38.2-3407.18:1 as follows:

§ 38.2-3407.18:1. Requirements for certain opioid antagonists.

A. Notwithstanding the provisions of § 38.2-3419, subdivision A 1 of § 38.2-6506, or any other provision of law, each insurer proposing to issue individual or group accident and sickness insurance policies providing hospital, medical, and surgical or major medical coverage on an expense-incurred basis; each corporation providing individual or group accident and sickness subscription contracts; and each health maintenance organization providing a health care plan for health care services whose policy, contract, or plan, including any certificate or evidence of coverage issued in connection with such policy, contract, or plan, includes coverage for at least one opioid antagonist used for overdose reversal dispensed pursuant to an oral, written, or standing order of a prescriber shall ensure that cost-sharing for any opioid antagonist used for overdose reversal is included on the lowest cost tier of the insurer's, corporation's, or health maintenance organization's prescription drug formulary.

B. No insurer, corporation, or health maintenance organization shall impose any prior authorization or step therapy requirement on coverage of benefits provided pursuant to this section.

C. The provisions of this section shall not apply to short-term travel, accident-only, limited or specified disease policies, or contracts designed for issuance to persons eligible for coverage under Title XVIII of the Social Security Act, known as Medicare, or any other similar coverage under state or federal governmental plans or to short-term nonrenewable policies of not more than six months' duration.

2. That the provisions of this act shall apply to any individual or group accident and sickness insurance policy, individual or group accident and sickness subscription contract, or health care plan for health care services delivered, issued for delivery, or renewed in the Commonwealth on and after January 1, 2027.