

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 38.2-3407.18:1, relating to health*
 3 *insurance; requirements for certain opioid antagonists.*

4 [S 257]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 38.2-3407.18:1 as follows:**8 **§ 38.2-3407.18:1. Requirements for certain opioid antagonists.**

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

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

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

25 **2. That the provisions of this act shall apply to any individual or group accident and sickness insurance**
 26 **policy, individual or group accident and sickness subscription contract, or health care plan for health**
 27 **care services delivered, issued for delivery, or renewed in the Commonwealth on and after January 1,**
 28 **2027.**

29 **3. That to the extent the health benefit or any portion thereof described in 38.2-3407.18:1 of the Code**
 30 **of Virginia, as created by this act, is included in the Commonwealth's current essential health benefits**
 31 **benchmark plan, as defined in § 30-343.1 of the Code of Virginia, the mandate to provide coverage of**
 32 **such health benefit or portion of the health benefit shall not apply to the individual and small group**
 33 **markets.**

ENROLLED

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