



New York State Legislative Summary

NYS Budget

The final budget maintains funding for the following public health programs:

- Tobacco Control Program \$39.7 m
- Cancer Services Program \$19.8 m
- Funding to Combat Obesity \$5.9 m

In addition to these important funding wins, here are highlights of the abbreviated New York State Session:

Tobacco Control

- Flavored E-cigarettes: NY will prohibit the sale of all flavored e-cigarettes. ACS CAN will continue to advocate for all flavored tobacco products to be eliminated.
- Eliminating Tobacco Sales in Pharmacies Win: Pharmacies in NY will no longer be allowed to sell any tobacco products, including e-cigarettes. This will apply to all free-standing pharmacies and to any store that has a pharmacy within it.
- Eliminate Tobacco Coupons: Tobacco companies have a history of trying to undermine the state's tax. Retailers will no longer be allowed to accept tobacco coupons and/ or discount the price of tobacco.
- Online Sales of E-cigarettes: New restrictions will prohibit the online sale and shipment of e-cigarette products to personal residences.
- Advertisements: NY will prohibit the outdoor display of tobacco and e-cigarette advertisements and paraphernalia in storefronts or windows within 1,500 feet of a school (and within 500 feet of a school in NYC).
- Protecting Our Youth: Fines for selling tobacco products to underage purchasers have been increased.

Access to Care

- Medicaid Prescriber Prevails: Prescriber Prevails gives doctors and patients the final say when it comes to determining if certain medications are medically necessary. Attempts to remove these protections that help Medicaid recipients access certain medications have been *rejected*.
- Keeping Medication Prices Predictable: Last year, the NYS Assembly and Senate passed legislation to prohibit insurers from increasing the cost of medications (or removing medications from their drug formulary) during the plan year, however the bill was vetoed in 2019. While not taken up in 2020, this legislation aims to keep medications affordable and will remain a priority moving forward.
- Honoring Copay Coupons and Discounts: Copay coupons and copay cards can provide some financial relief to patients. These programs are typically offered by manufacturers to patients with high cost drugs to meet their maximum out of pocket limit. Yet some insurers prevent patients from using a copay card or coupon to cover their out of pocket expenses. Legislation to stop this unfair practice has been introduced and is currently in the Assembly and Senate Insurance Committees.

Healthy Eating and Active Living

- Healthy Kids Restaurant Meals: Legislation to ensure all restaurant meals marketed to kids meet nutritional standards established by Department of Health was reported to Senate and Assembly Health Committees.
- Model School Wellness Policy: Legislation calling for the Commissioner of the State Education Department to create a model school wellness policy was reported to the Assembly and Senate Education Committees. The policy would be sent to local school boards as a resource for each board to consider and make modifications.
- Healthy Vending: Legislation to ensure products sold in vending machines on state property meet nutritional guidelines was reported to the Senate Health Committee and Assembly Governmental Operations Committee. The bill applies to vending machines owned or leased by the state and encourages private vendors on state property to comply. The guidelines would be phased in over 3 years with initially 25% of the contents required to meet the nutritional standards. Within 3 years, 75% of the contents would need to meet the nutritional standards.

Vaccines

- Vaccines in Pharmacies: Legislation to allow pharmacists to administer the HPV vaccine has been reported to the Senate and Assembly Higher Ed Committees.