S T A T E O F N E W Y O R K

483

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to continuing medical education for doctors, nurses and pharmacists

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. This act shall be known and may be cited as the "Michael David Israel physician training law".

S 2. The education law is amended by adding a new section 6524-a to read as follows:

S 6524-A. MANDATORY CONTINUING MEDICAL EDUCATION. 1. ALL PHYSICIANS, IN ORDER TO MAINTAIN THEIR LICENSE IN GOOD STANDING, MUST COMPLETE THREE HOURS OF CONTINUING MEDICAL EDUCATION ON THE PRESCRIPTION OF OPIATE ANALGESICS AND PSYCHOTROPIC DRUGS AND THE RISKS OF ADDICTION IN THEIR ADMINISTRATION. THE CLASSES SHALL BE TAUGHT AND ADMINISTERED BY THE OFFICE OF THE PROFESSIONS ACCORDING TO REGULATIONS SET BY THE COMMISSIONER AND SHALL FOCUS ON THE PREVENTION, TREATMENT AND MITIGATION OF SUCH ADDICTIONS.

2. FOR PURPOSES OF THIS SECTION:

A. "OPIATE ANALGESICS" SHALL MEAN THE MEDICINES BUPRENORPHINE, BUTORPHANOL, CODEINE, HYDROCODONE, HYDROMORPHONE, LEVORPHANOL, MEPERIDINE, METHADONE, MORPHINE, NALBUPHINE, OXYCODONE, OXYMORPHONE, PENTAZOCINE AND PROPOXYPHENE AS WELL AS THEIR BRAND NAMES, ISOMERS AND COMBINATIONS.

B. "PSYCHOTROPIC DRUGS" SHALL MEAN ANY DRUG OR MEDICINE THAT AFFECTS MENTAL ACTIVITY, BEHAVIOR OR PERCEPTION INCLUDING ANTI-PSYCHOTICS, ANTI-DEPRESSANTS, ANTI-ANXIETY DRUGS OR ANXIOLYTICS AND HYPNOTICS.

S 3. The education law is amended by adding a new section 6905-a to read as follows:

S 6905-A. MANDATORY CONTINUING MEDICAL EDUCATION. 1. ALL PHYSICIANS, IN ORDER TO MAINTAIN THEIR LICENSE IN GOOD STANDING, MUST COMPLETE THREE

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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HOURS OF CONTINUING MEDICAL EDUCATION ON THE PRESCRIPTION OF OPIATE ANALGESICS AND PSYCHOTROPIC DRUGS AND THE RISKS OF ADDICTION IN THEIR ADMINISTRATION. THE CLASSES SHALL BE TAUGHT AND ADMINISTERED BY THE OFFICE OF THE PROFESSIONS ACCORDING TO REGULATIONS SET BY THE COMMISSIONER AND SHALL FOCUS ON THE PREVENTION, TREATMENT AND MITIGATION OF SUCH ADDICTIONS.

2. FOR PURPOSES OF THIS SECTION:

A. "OPIATE ANALGESICS" SHALL MEAN THE MEDICINES BUPRENORPHINE, BUTORPHANOL, CODEINE, HYDROCODONE, HYDROMORPHONE, LEVORPHANOL, MEPERIDINE, METHADONE, MORPHINE, NALBUPHINE, OXYCODONE, OXYMORPHONE, PENTAZOCINE AND PROPOXYPHENE AS WELL AS THEIR BRAND NAMES, ISOMERS AND COMBINATIONS.

B. "PSYCHOTROPIC DRUGS" SHALL MEAN ANY DRUG OR MEDICINE THAT AFFECTS MENTAL ACTIVITY, BEHAVIOR OR PERCEPTION INCLUDING ANTI-PSYCHOTICS, ANTI-DEPRESSANTS, ANTI-ANXIETY DRUGS OR ANXIOLYTICS AND HYPNOTICS.

S 4. Subdivision 2 of section 6827 of the education law, as amended by chapter 21 of the laws of 2011, is amended to read as follows:

2. During each triennial registration period an applicant for registration shall complete a minimum of forty-five hours of acceptable formal continuing education, as specified in subdivision four of this section, provided that no more than twenty-two hours of such continuing education shall consist of self-study courses AND PROVIDED THAT AT LEAST THREE HOURS ARE DEDICATED TO COURSES ON THE PREVENTION, TREATMENT AND MITIGATION OF OPIATE ANALGESIC AND PSYCHOTROPIC DRUG ADDICTION, AS SUCH TERMS ARE DEFINED IN SECTION SIXTY-FIVE HUNDRED TWENTY-FOUR-A OF THIS TITLE. Any pharmacist participating in collaborative drug therapy management pursuant to section six thousand eight hundred one-a of this article shall complete at least five hours of acceptable formal continuing education in the area or areas of practice generally related to any collaborative drug therapy management protocols to which the pharmacist may be subject. Any pharmacist whose first registration date following the effective date of this section occurs less than three years from such effective date, but on or after January first, nineteen hundred ninety-eight, shall complete continuing education hours on a prorated basis at the rate of one and one-quarter hours per month for the period beginning January first, nineteen hundred ninety-seven up to the first registration date thereafter. A licensee who has not satisfied the mandatory continuing education requirements shall not be issued a triennial registration certificate by the department and shall not practice unless and until a conditional registration certificate is issued as provided for in subdivision three of this section. Continuing education hours taken during one triennium may not be transferred to a subsequent triennium.

S 5. Subdivision 2 of section 6827 of the education law, as added by chapter 311 of the laws of 1996, is amended to read as follows:

2. During each triennial registration period an applicant for registration shall complete a minimum of forty-five hours of acceptable formal continuing education, as specified in subdivision four of this section, provided that no more than twenty-two hours of such continuing education shall consist of self-study courses AND PROVIDED THAT AT LEAST THREE HOURS ARE DEDICATED TO COURSES ON THE PREVENTION, TREATMENT AND MITIGATION OF OPIATE ANALGESIC AND PSYCHOTROPIC DRUG ADDICTION, AS SUCH TERMS ARE DEFINED IN SECTION SIXTY-FIVE HUNDRED TWENTY-FOUR-A OF THIS TITLE. Any pharmacist whose first registration date following the effective date of this section occurs less than three years from such effective date, but on or after January first, nineteen hundred ninety-eight, shall complete continuing education hours on a prorated basis at

the rate of one and one-quarter hours per month for the period beginning January first, nineteen hundred ninety-seven up to the first registration date thereafter. A licensee who has not satisfied the mandatory continuing education requirements shall not be issued a triennial registration certificate by the department and shall not practice unless and until a conditional registration certificate is issued as provided for in subdivision three of this section. Continuing education hours taken during one triennium may not be transferred to a subsequent triennium.

S 6. This act shall take effect immediately, provided however that the amendments made to subdivision 2 of section 6827 of the education law made by section four of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 5 of chapter 21 of the laws of 2011, as amended, when upon such date the provisions of section five of this act shall take effect and provided further, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.