

7383

I N S E N A T E

May 14, 2014

Introduced by Sen. TKACZYK -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities

AN ACT to amend the mental hygiene law, in relation to the prescription of certain medications which have an increased risk of suicidal behavior

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

1 Section 1. The mental hygiene law is amended by adding a new section
2 7.45 to read as follows:
3 S 7.45 PRESCRIPTION MEDICATIONS; SUICIDE RISK.
4 (A) NO PRESCRIPTION MEDICATION PRESCRIBED IN THIS STATE WHICH HAS AN
5 INCREASED RISK OF SUICIDAL BEHAVIOR IN INDIVIDUALS AND IS REQUIRED BY
6 THE FEDERAL DRUG ADMINISTRATION TO BE PRESCRIBED WITH A BLACK BOX LABEL
7 WARNING SHALL BE DISPENSED, DISPERSED OR OTHERWISE GIVEN TO ANY PERSON,
8 UNLESS THE PERSON FOR WHOM SUCH PRESCRIPTION WAS WRITTEN HAS:
9 (1) CONSULTED WITH THE PHARMACIST DISPENSING SUCH MEDICATION REGARDING
10 THE INCREASED RISK OF SUICIDE AND SUICIDAL SIDE EFFECTS ASSOCIATED WITH
11 THE DRUG;
12 (2) RECEIVED THE TOLL-FREE SUICIDE PREVENTION LIFELINE TELEPHONE
13 NUMBER ESTABLISHED BY THE OFFICE;
14 (3) RECEIVED THE SUICIDE PREVENTION LIFELINE WEBSITE INTERNET ADDRESS
15 ESTABLISHED BY THE OFFICE; AND
16 (4) RECEIVED A PAMPHLET PUBLISHED BY THE OFFICE SETTING FORTH ALL
17 RELEVANT INFORMATION REGARDING THE INCREASED RISK OF SUICIDE AND
18 SUICIDAL SIDE EFFECTS ASSOCIATED WITH THE DRUG, INCLUDING, BUT NOT
19 LIMITED TO, INFORMATION SETTING FORTH THE WARNING SIGNS ASSOCIATED WITH
20 SUCH SUICIDAL BEHAVIOR AND ANY OTHER INFORMATION THE OFFICE DEEMS RELE-
21 VANT.
22 (B) ANY CONSULTATION REQUIRED BY PARAGRAPH ONE OF SUBDIVISION (A) OF
23 THIS SECTION WITH A PERSON SEVENTEEN YEARS OF AGE OR YOUNGER SHALL
24 REQUIRE THAT A PARENT OR LEGAL GUARDIAN OF SUCH PERSON BE IN ATTENDANCE
25 DURING SUCH CONSULTATION.

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

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1 (C) THE OFFICE IS AUTHORIZED AND DIRECTED TO PROMULGATE ANY RULES AND
2 REGULATIONS AND PREPARE PAMPHLETS NECESSARY TO IMPLEMENT THE PROVISIONS
3 OF THIS SECTION.

4 S 2. This act shall take effect on the ninetieth day after it shall
5 have become a law; provided, however, that effective immediately, the
6 addition, amendment and/or repeal of any rule or regulation necessary
7 for the implementation of this act on its effective date is authorized
8 to be made and completed on or before such date.