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I N   S E N A T E

April 15, 2016

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Introduced by Sens. MURPHY, AMEDORE, ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Alcoholism and Drug Abuse

AN ACT to amend the mental hygiene law, the education law and the public health law, in relation to the dispensing and administering of opiates, opium, and the salts, compounds, derivatives and preparations thereof

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

1     Section 1. Section 19.07 of the mental hygiene law is amended by  
2     adding a new subdivision (l) to read as follows:  
3     (L) THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES SHALL (I)  
4     ESTABLISH AND DISTRIBUTE TO EVERY PHARMACY, REGISTERED PURSUANT TO ARTI-  
5     CLE ONE HUNDRED THIRTY-SEVEN OF THE EDUCATION LAW, CARDS OR PAMPHLETS TO  
6     BE PROVIDED TO EACH PERSON TO WHOM ANY OPIATE, OPIUM, OR ANY SALT,  
7     COMPOUND, DERIVATIVE OR PREPARATION THEREOF DEFINED AS A CONTROLLED  
8     SUBSTANCE IN SECTION THIRTY-THREE HUNDRED SIX OF THE PUBLIC HEALTH LAW  
9     IS LAWFULLY DISPENSED; AND (II) ESTABLISH FOR EACH HOSPITAL, OPERATED  
10    PURSUANT TO ARTICLE TWENTY-EIGHT OF THE PUBLIC HEALTH LAW, A STATEMENT  
11    TO BE INCLUDED ON THE DISCHARGE INFORMATION PROVIDED TO EACH PATIENT TO  
12    WHOM ANY OPIATE, OPIUM, OR ANY SALT, COMPOUND, DERIVATIVE OR PREPARATION  
13    THEREOF DEFINED AS A CONTROLLED SUBSTANCE IN SECTION THIRTY-THREE  
14    HUNDRED SIX OF THE PUBLIC HEALTH LAW IS ADMINISTERED WHILE ADMITTED TO  
15    THE HOSPITAL. SUCH CARDS, PAMPHLETS AND DISCHARGE STATEMENT SHALL  
16    INCLUDE THE FOLLOWING INFORMATION:  
17       1. THE RISKS OF USING OR CONSUMING SUCH CONTROLLED SUBSTANCES;  
18       2. THE PHYSICAL, BEHAVIORAL AND ADVANCED WARNING SIGNS OF ADDICTION TO  
19       SUCH CONTROLLED SUBSTANCES;  
20       3. THE HOPELINE TELEPHONE CONTACT NUMBER (1-877-8-HOPE-NY) AND TEXT  
21       NUMBER (HOPENY) FOR THE HOPELINE OPERATED BY THE OFFICE;  
22       4. THE PROCEDURES FOR THE SAFE DISPOSAL OF UNUSED CONTROLLED  
23       SUBSTANCES ESTABLISHED PURSUANT TO SECTION THIRTY-THREE HUNDRED  
24       FORTY-THREE-B OF THE PUBLIC HEALTH LAW; AND

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

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1 5. SUCH OTHER INFORMATION AS THE COMMISSIONER SHALL DETERMINE TO BE  
2 NECESSARY OR INFORMATIVE RELATING TO THE USE, CONSUMPTION OR ABUSE OF,  
3 OR ADDICTION TO SUCH CONTROLLED SUBSTANCES.

4 S 2. The education law is amended by adding a new section 6832 to read  
5 as follows:

6 S 6832. DISPENSING OPIATES, OPIUM, AND THE SALTS, COMPOUNDS, DERIVA-  
7 TIVES AND PREPARATIONS THEREOF. UPON THE AUTHORIZED DISPENSING OF ANY  
8 OPIATE, OPIUM, OR ANY SALT, COMPOUND, DERIVATIVE OR PREPARATION THEREOF  
9 DEFINED AS A CONTROLLED SUBSTANCE IN SECTION THIRTY-THREE HUNDRED SIX OF  
10 THE PUBLIC HEALTH LAW, A LICENSED PHARMACIST SHALL INCLUDE, WITH SUCH  
11 CONTROLLED SUBSTANCE, THE CARD OR PAMPHLET ESTABLISHED AND DISTRIBUTED  
12 BY THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES PURSUANT TO  
13 SUBDIVISION (1) OF SECTION 19.07 OF THE MENTAL HYGIENE LAW.

14 S 3. The public health law is amended by adding a new section 2803-u  
15 to read as follows:

16 S 2803-U. DISCHARGE INFORMATION FOR PATIENTS ADMINISTERED OPIATES.  
17 UPON THE DISCHARGE OF A PATIENT FROM A HOSPITAL, WHO WAS ADMINISTERED  
18 ANY OPIATE, OPIUM, OR ANY SALT, COMPOUND, DERIVATIVE OR PREPARATION  
19 THEREOF DEFINED AS A CONTROLLED SUBSTANCE IN SECTION THIRTY-THREE  
20 HUNDRED SIX OF THIS CHAPTER, WHILE ADMITTED TO SUCH HOSPITAL, THE HOSPI-  
21 TAL SHALL INCLUDE, IN THE DISCHARGE INFORMATION PROVIDED TO THE PATIENT,  
22 THE DISCHARGE STATEMENT ESTABLISHED BY THE OFFICE OF ALCOHOLISM AND  
23 SUBSTANCE ABUSE SERVICES PURSUANT TO SUBDIVISION (1) OF SECTION 19.07 OF  
24 THE MENTAL HYGIENE LAW. FURTHERMORE, BEFORE SUCH PATIENT IS DISCHARGED,  
25 HE OR SHE SHALL SIGN A STATEMENT THAT HE OR SHE HAS READ AND UNDERSTANDS  
26 SUCH DISCHARGE STATEMENT.

27 S 4. This act shall take effect immediately, except that sections two  
28 and three of this act shall take effect on the first of January next  
29 succeeding the date on which it shall have become a law.