

STATE OF NEW YORK

4277

2019-2020 Regular Sessions

IN SENATE

March 6, 2019

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to requiring health practitioners to discuss with patients the risks associated with certain pain medications before prescribing such medications

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The public health law is amended by adding a new section
2 3309-b to read as follows:

3 § 3309-b. Practitioner and patient discussions; opioid prescriptions.
4 1. Prior to issuing the initial prescription of a Schedule II controlled
5 substance for the treatment of pain or any other opioid drug which is a
6 prescription drug for acute or chronic pain and again prior to issuing
7 the third prescription of the course of treatment, a practitioner shall
8 discuss with the patient, or the patient's parent or guardian if the
9 patient is under eighteen years of age and is not an emancipated minor,
10 the risks associated with the drugs being prescribed, including but not
11 limited to:

12 (a) the risks of addiction and overdose associated with opioid drugs
13 and the dangers of taking opioid drugs with alcohol, benzodiazepines and
14 other central nervous system depressants;

15 (b) the reasons why the prescription is necessary;

16 (c) alternative treatments that may be available; and

17 (d) the risks associated with the use of the drugs being prescribed,
18 specifically that opioids are highly addictive, even when taken as
19 prescribed, that there is a risk of developing a physical or psycholog-
20 ical dependence on the controlled substance, and that the risks of
21 taking more opioids than prescribed, or mixing sedatives, benzodiaze-
22 pines or alcohol with opioids, can result in fatal respiratory
23 depression.

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

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1 2. The department shall develop and make available to practitioners
2 guidelines for the discussion required by this section.

3 § 2. This act shall take effect on the sixtieth day after it shall
4 have become a law. Effective immediately, guidelines necessary for the
5 implementation of this act on its effective date are authorized to be
6 made and completed on or before such date.