STATE OF NEW YORK

9103

IN ASSEMBLY

January 31, 2022

Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to requiring a personal use pharmaceutical disposal system be provided at the time of dispensing an opioid prescription

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

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

§ 3309-b. Opioid personal use pharmaceutical disposal systems. 1. No person in the state shall dispense an opioid prescription to the ultimate user of such prescribed opioid unless such person additionally provides to such ultimate user a personal use pharmaceutical disposal system at no cost to such ultimate user.

2. Each county health department shall provide personal use pharmaceutical disposal systems to each pharmacy in such county at no cost to such pharmacy to be distributed pursuant to the provisions of subdivision one of this section. Personal use pharmaceutical disposal systems shall either be provided to each county health department by the manufacturer of each opioid distributed in such county at no cost to such county health department, or acquired by the county health department through the use of funds made available from the opioid settlement fund established pursuant to section ninety-nine-nn of the state finance law.

3. A county health department may establish administrative procedures to implement the provisions of this section.

4. As used in this section:

(a) "Personal use pharmaceutical disposal system" means a portable product designed for personal use by the ultimate user for the purpose of allowing the ultimate user of a prescribed opioid to deactivate the prescribed opioid to a non-retrievable condition or state.

(b) "Ultimate user" means a person who has lawfully obtained, and who possesses, a prescribed opioid for his or her own use or for the use of a member of his or her household.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

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

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