

STATE OF NEW YORK

3883

2025-2026 Regular Sessions

IN SENATE

January 30, 2025

Introduced by Sen. HINCHEY -- 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 dispensing certain controlled substances for use by a person with a substance use disorder

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

1 Section 1. Subdivisions 1 and 2 of section 3351 of the public health
2 law, as added by chapter 878 of the laws of 1972, is amended and a new
3 subdivision 1-a is added to read as follows:

4 1. Controlled substances may be prescribed for, or administered or
5 dispensed to [~~an addict~~] a person with a substance use disorder or
6 habitual user:

7 (a) during emergency medical treatment unrelated to [~~abuse~~] such
8 substance use disorder or habitual use of controlled substances;

9 (b) who is a bona fide patient suffering from an incurable and fatal
10 disease such as cancer or advanced tuberculosis;

11 (c) who is aged, infirm, or suffering from serious injury or illness
12 and the withdrawal from controlled substances would endanger the life or
13 impede or inhibit the recovery of such person.

14 1-a. A practitioner may prescribe, administer and dispense any sched-
15 ule III, IV, or V narcotic drug approved by the federal food and drug
16 administration specifically for use in maintenance or detoxification
17 treatment to a person with a substance use disorder or habitual user.

18 2. Controlled substances may be ordered for use by [~~an addict~~] a
19 person with a substance use disorder or habitual user by a practitioner
20 and administered by a practitioner [~~or~~], registered nurse, or emergency
21 medical technician-paramedic, acting within their scope of practice, to
22 relieve acute withdrawal symptoms.

23 § 2. This act shall take effect immediately.

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

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