S T A T E O F N E W Y O R K

829

2009-2010 Regular Sessions

I N S E N A T E

January 18, 2009

Introduced by Sen. KRUGER -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to prescription forms

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

Section 1. Subdivision 7 of section 6810 of the education law, as amended by chapter 519 of the laws of 2002, is amended to read as follows:

7. (a) No prescription for a drug written in this state by a person authorized to issue such prescription shall be on a prescription form which authorizes the dispensing or compounding of any other drug OR CONTROLLED SUBSTANCE. THE TOTAL NUMBER OF DRUGS, WHICH MAY NOT EXCEED THREE, INCLUDED ON A SINGLE FORM MUST BE INDICATED IN A BOX ON EACH FORM. No [drug] CONTROLLED SUBSTANCE shall be dispensed by a pharmacist when such prescription form includes any other drug.

(b) [With respect to drugs other than controlled substances, the provisions of this subdivision shall not apply to pharmacists employed by or providing services under contract to general hospitals, nursing homes, residential health care facilities as defined in section twenty-eight hundred one of the public health law, hospitals as defined in subdivision ten of section 1.03 of the mental hygiene law, or developmental centers or developmental disabilities services offices listed in subdivision (b) of section 13.17 of the mental hygiene law, who dispense drugs in the course of said employment or in the course of providing such services under contract. With respect to such pharmacists, each prescription shall be transcribed on a patient specific prescription form.] FOR THE PURPOSES OF THIS SUBDIVISION, "CONTROLLED SUBSTANCE" MEANS ANY SUBSTANCE LISTED IN SCHEDULE I, II, III, IV OR V OF SECTION THIRTY-THREE HUNDRED SIX OF THE PUBLIC HEALTH LAW.

S 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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