

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:

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

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

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

25 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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