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

1692

2009-2010 Regular Sessions

I N A S S E M B L Y

January 9, 2009

Introduced by M. of A. DINOWITZ, JOHN, GOTTFRIED -- Multi-Sponsored by -- M. of A. EDDINGTON -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to preventing deaths caused by drug overdose

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

Section 1. This act shall be known and may be cited as the "drug overdose prevention act".

S 2. Article 2 of the public health law is amended by adding a new title 6 to read as follows:

TITLE VI

DRUG OVERDOSE PREVENTION

SECTION 266. DEFINITIONS.
267. REPORTING REQUIREMENTS.
268. ADVICE REGARDING DRUG OVERDOSE.

S 266. DEFINITIONS. WHEN USED IN THIS TITLE:

1. "DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH.

2. "COMMISSIONER" MEANS THE COMMISSIONER OF HEALTH.

S 267. REPORTING REQUIREMENTS. 1. THE COMMISSIONER SHALL PUBLISH, BASED ON INFORMATION COLLECTED PURSUANT TO SECTION FOUR THOUSAND ONE HUNDRED FORTY-ONE OF THIS CHAPTER, FINDINGS ON STATEWIDE DRUG OVERDOSE TRENDS THAT REVIEW OVERDOSE DEATH RATES AND OTHER INFORMATION TO ASCERTAIN CHANGES IN THE CAUSE AND RATES OF FATAL DRUG OVERDOSES FOR AN APPROPRIATE PERIOD OF TIME. THE REPORT SHALL ALSO PROVIDE INFORMATION ON INTERVENTIONS THAT WOULD BE EFFECTIVE IN REDUCING THE RATE OF DRUG OVERDOSE.

2. THE REPORT SHALL INCLUDE, AT A MINIMUM THE FOLLOWING INFORMATION:

(A) TRENDS IN DRUG OVERDOSE DEATHS;

(B) TRENDS IN EMERGENCY ROOM UTILIZATION FOR THE TREATMENT OF DRUG OVERDOSE;

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

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(C) TRENDS IN UTILIZATION OF PRE-HOSPITAL AND EMERGENCY SERVICES AND THE COST OF EMERGENCY SERVICES UTILIZATION FOR DRUG OVERDOSE;

(D) SUGGESTED IMPROVEMENTS IN DATA COLLECTION; AND

(E) A DESCRIPTION OF EDUCATION EFFORTS AND OTHER INTERVENTIONS THAT WOULD BE EFFECTIVE IN REDUCING THE RATE OF DRUG OVERDOSE.

3. THE REPORT MAY BE PART OF EXISTING STATE MORTALITY REPORTS ISSUED BY THE DEPARTMENT, AND SHALL BE SUBMITTED ANNUALLY TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY.

S 268. ADVICE REGARDING DRUG OVERDOSE. THE COMMISSIONER SHALL, AS NEEDED, PROVIDE ADVICE TO APPROPRIATE STATE, COUNTY AND CITY OFFICIALS WITH REGARD TO DRUG OVERDOSE, INCLUDING:

1. THE PREVALENCE OF DRUG OVERDOSE INCIDENTS;

2. TRENDS IN DRUG OVERDOSE INCIDENTS; AND

3. STRATEGIES FOR ADDRESSING DRUG OVERDOSE IN THEIR JURISDICTION.

S 3. Paragraph (d) of subdivision 4 of section 4141 of the public health law, as added by chapter 413 of the laws of 2005, is amended to read as follows:

(d) Where a death is caused by [an opioid] DRUG overdose, such information shall be indicated, including any [related] SPECIFIC information CONCERNING THE DRUG OR DRUGS RESPONSIBLE FOR THE DEATH, AND ANY OTHER INFORMATION RELATED TO THE OVERDOSE DEATH as the commissioner [may] SHALL require.

S 4. This act shall take effect on the first of April next succeeding the date on which it shall have become a law; provided, however, that the commissioner of health is authorized to promulgate any and all rules and regulations and take any other measures necessary to implement this act on its effective date on or before such date.