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

614

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. JACOBS -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the education law, in relation to a generic drug guide for consumers

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

Section 1. Generic drug guide. 1. The state board of pharmacy in conjunction with the state consumer protection board shall prepare and publish a guide explaining the purpose, function, and availability of generic drugs. Such guide shall be made available to individuals upon request and without charge, except that requests for more than ten copies shall be subject to a nominal charge to cover the cost of reproduction and handling.

2. The state board of pharmacy shall conduct a survey of pharmacists and prescribers beginning no earlier than March fifteenth next succeeding the date on which this act takes effect and ending no later than April thirtieth, next succeeding the date on which this act takes effect for the purpose of determining frequency of use of generic drugs.

S 2. Paragraph (b) of subdivision 6 of section 6810 of the education law, as amended by chapter 913 of the laws of 1986, is amended to read as follows:

(b) The prescriber shall inform the patient whether he or she has prescribed a brandname or its generic equivalent drug product, AND, IF THE PRESCRIBER HAS NOT PRESCRIBED SUCH GENERIC EQUIVALENT DRUG PRODUCT, THE PRESCRIBER SHALL INFORM THE PATIENT OF THE REASONS FOR SUCH DECISION.

S 3. This act shall take effect on the first of September next succeeding the date on which 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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