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

6689

2009-2010 Regular Sessions

I N A S S E M B L Y

March 11, 2009

Introduced by M. of A. McDONOUGH, ALFANO, BARRA -- Multi-Sponsored by -- M. of A. BOYLAND -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the education law and the public health law, in relation to requiring prescriptions to be legible

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

Section 1. Subdivision 8 of section 6810 of the education law, as added by chapter 626 of the laws of 1985, is amended to read as follows:

8. Every prescription (whether or not for a controlled substance) written in this state by a person authorized to issue such prescription and containing the prescriber's signature shall, in addition to such signature[,]: (A) be imprinted or stamped legibly and conspicuously with the printed name of the prescriber who has signed the prescription. The imprinted or stamped name of the signing prescriber shall appear in an appropriate location on the prescription form and shall not be entered in or upon any space or line reserved for the prescriber's signature. The imprinted or stamped name shall not be employed as a substitute for, or fulfill any legal requirement otherwise mandating that the prescription be signed by the prescriber; AND (B) SHALL BE TYPEWRITTEN, ELECTRONICALLY PRINTED OR HANDWRITTEN IN INK OR INDELIBLE PENCIL IN A LEGIBLE MANNER. THIS PARAGRAPH SHALL NOT AFFECT MATTERS REQUIRED BY LAW TO BE HANDWRITTEN BY THE PRESCRIBER.

S 2. The opening paragraph of subdivision 2 of section 3332 of the public health law, as amended by chapter 537 of the laws of 1998, is amended to read as follows:

Such prescription shall be prepared on an official New York state prescription form, LEGIBLY written with ink, indelible pencil or, apart from the practitioner's signature, typewriter or electronic printer AND, WHERE HANDWRITTEN, SHALL ONLY BE WRITTEN IN PRINT LETTERS. SUCH

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

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PRESCRIPTIONS SHALL NOT BE HANDWRITTEN IN SCRIPT LETTERS. The original must contain the following:

S 3. This act shall take effect on the one hundred twentieth day after it shall have become a law.