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

8476

2011-2012 Regular Sessions

I N A S S E M B L Y

June 17, 2011

Introduced by M. of A. WEISENBERG -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to banning the sale, use, and prescription of any product containing the substance commonly known as Lindane

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

Section 1. The public health law is amended by adding a new section 22 to read as follows:

S 22. SALE AND USE OF HEXACHLOROCYCLOHEXANE OR GAMMA BENZENE HEXACHLORIDE RESTRICTED. 1. NO PERSON SHALL SELL, OFFER FOR SALE, OR USE ANY MATERIAL, COMPOUND, MIXTURE, OR PREPARATION WHICH CONTAINS ANY QUANTITY OF HEXACHLOROCYCLOHEXANE OR GAMMA BENZENE HEXACHLORIDE, INCLUDING THEIR SALTS AND ISOMERS, FOR THE TREATMENT OF ANY DISEASE OR CONDITION OF A PERSON, EXCEPT AS SPECIFIED IN THIS SECTION.

2. ANY MATERIAL, COMPOUND, MIXTURE, OR PREPARATION WHICH CONTAINS ANY QUANTITY OF HEXACHLOROCYCLOHEXANE OR GAMMA BENZENE HEXACHLORIDE, INCLUDING THEIR SALTS AND ISOMERS, MAY BE USED FOR THE TREATMENT OF AN INFESTATION SARCOPTES SCABEI, ALSO KNOWN AS SCABIES, PROVIDED THAT THE ADMINISTERING OF THE HEXACHLOROCYCLOHEXANE OR GAMMA BENZENE HEXACHLORIDE IS ORDERED AND COMMENCED UNDER THE SUPERVISION OF A HEALTH CARE PRACTITIONER LICENSED UNDER TITLE EIGHT OF THE EDUCATION LAW, ACTING WITHIN THE LAWFUL SCOPE OF HIS OR HER PRACTICE. THE HEALTH CARE PRACTITIONER SHALL PROVIDE FOR APPROPRIATE INSTRUCTION FOR THE PATIENT, OR PARENT OR GUARDIAN OF THE PATIENT, CONCERNING PROPER PROCEDURES PRIOR TO AND FOLLOWING THE COMMENCEMENT OF THE ADMINISTERING OF THE HEXACHLOROCYCLOHEXANE OR GAMMA BENZENE HEXACHLORIDE, INCLUDING REMOVAL AND WASHING.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

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

LBD13152-01-1