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

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I N A S S E M B L Y

March 20, 2012

Introduced by M. of A. GRAF, RAIA, McDONOUGH, McLAUGHLIN, CALHOUN, McKEVITT -- Multi-Sponsored by -- M. of A. CERETTO -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to establishing a prescription drug registry and requiring practitioners to check such registry

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

Section 1. Section 3308 of the public health law is amended by adding a new subdivision 7 to read as follows:

7. THE COMMISSIONER SHALL DEVELOP A REGISTRY AND SYSTEM OF COMPLIANCE IN ACCORDANCE WITH SECTION THIRTY-THREE HUNDRED TWENTY-THREE OF THIS ARTICLE. SUCH REGISTRY SHALL, AT A MINIMUM:

(A) BE UPDATED DAILY;

(B) BE IN AN ELECTRONIC FORMAT TO BE DETERMINED BY THE COMMISSIONER;

(C) REQUIRE PRACTITIONERS TO SUBMIT THE FOLLOWING INFORMATION PRIOR TO PRESCRIBING CONTROLLED SUBSTANCES UNDER THIS ARTICLE:

A. THE PATIENT'S DATE OF BIRTH;

B. THE PATIENT'S ADDRESS;

C. THE NAME OF THE PRESCRIBING PHYSICIAN;

D. THE DATE SUCH PRESCRIPTION WAS ISSUED; AND

E. THE NUMBER OF PILLS PRESCRIBED;

(D) REQUIRE ALL PRACTITIONERS, INCLUDING PHARMACISTS, LICENSED TO DISTRIBUTE CONTROLLED SUBSTANCES UNDER THIS ARTICLE TO FULFILL REPORTING REQUIREMENTS OF SECTION THIRTY-THREE HUNDRED TWENTY-THREE OF THIS ARTICLE;

(E) ESTABLISH AN APPROPRIATE AND GRADUATED FINE SCALE FOR PRACTITIONERS FOUND IN VIOLATION OF SECTION THIRTY-THREE HUNDRED TWENTY-THREE OF THIS ARTICLE.

S 2. Title 2 of article 33 of the public health law is amended by adding a new section 3323 to read as follows:

S 3323. PRACTITIONERS' DUTIES PRIOR TO PRESCRIBING OXYCODONE. EVERY PRACTITIONER LICENSED TO DISTRIBUTE CONTROLLED SUBSTANCES UNDER THIS ARTICLE SHALL, PRIOR TO PRESCRIBING OXYCODONE, ENTER THE FOLLOWING

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

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INFORMATION INTO THE CENTRAL REGISTRY ESTABLISHED PURSUANT TO THIS ARTICLE:

1. THE PATIENT'S DATE OF BIRTH;
2. THE PATIENT'S ADDRESS;
3. THE NAME OF THE PRESCRIBING PHYSICIAN;
4. THE DATE SUCH PRESCRIPTION WAS ISSUED; AND
5. THE NUMBER OF PILLS PRESCRIBED.

S 3. This act shall take effect immediately; provided, however, that section two of this act shall take effect on the one hundred twentieth day after it shall have become a law.