

2067

2011-2012 Regular Sessions

I N A S S E M B L Y

January 13, 2011

Introduced by M. of A. M. MILLER -- Multi-Sponsored by -- M. of A.
BARRON, SCARBOROUGH -- read once and referred to the Committee on
Health

AN ACT to amend the public health law, in relation to establishing the
disposal of prescription drugs program

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

1 Section 1. The public health law is amended by adding a new article
2 2-B to read as follows:

3 ARTICLE 2-B

4 DISPOSAL OF PRESCRIPTION DRUGS PROGRAM

5 SECTION 290. DEFINITIONS.

6 291. DISPOSAL OF PRESCRIPTION DRUGS PROGRAM; ESTABLISHMENT.

7 S 290. DEFINITIONS. 1. "PRESCRIPTION DRUG" OR "DRUG" MEANS A DRUG
8 DEFINED IN SUBDIVISION SEVEN OF SECTION SIXTY-EIGHT HUNDRED TWO OF THE
9 EDUCATION LAW, FOR WHICH A PRESCRIPTION IS REQUIRED UNDER THE FEDERAL
10 FOOD, DRUG AND COSMETIC ACT.

11 2. "PHARMACY" MEANS ANY PLACE IN WHICH DRUGS, PRESCRIPTIONS OR POISONS
12 ARE POSSESSED FOR THE PURPOSE OF COMPOUNDING, PRESERVING, DISPENSING OR
13 RETAILING, OR IN WHICH DRUGS, PRESCRIPTIONS OR POISONS ARE COMPOUNDED,
14 PRESERVED, DISPENSED OR RETAILED, OR IN WHICH SUCH DRUGS, PRESCRIPTIONS
15 OR POISONS ARE BY ADVERTISING OR OTHERWISE OFFERED FOR SALE AT RETAIL.

16 S 291. DISPOSAL OF PRESCRIPTION DRUGS PROGRAM; ESTABLISHMENT. 1. THERE
17 IS HEREBY ESTABLISHED IN THE DEPARTMENT A DISPOSAL OF PRESCRIPTION DRUGS
18 PROGRAM TO IMPLEMENT A SYSTEM BY WHICH PHARMACIES ACCEPT AND DISPOSE OF
19 ANY UNUSED PORTIONS OF PRESCRIPTION DRUGS PRESCRIBED TO RESIDENTS OF
20 THIS STATE.

21 2. THE COMMISSIONER IS AUTHORIZED AND DIRECTED TO PROMULGATE SUCH
22 RULES AND REGULATIONS AS ARE NECESSARY TO IMPLEMENT THE PROVISIONS OF
23 THIS ARTICLE. SUCH RULES AND REGULATIONS SHALL ENABLE PHARMACISTS TO

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

LBD00628-01-1

1 ACCEPT AND DISPOSE OF ANY PRESCRIPTION DRUG WHICH IS BROUGHT TO THEM FOR
2 THE PURPOSE OF DISPOSAL.
3 S 2. This act shall take effect on the ninetieth day after it shall
4 have become a law.