

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

9018--A

I N A S S E M B L Y

January 13, 2012

Introduced by M. of A. CUSICK, MURRAY, SAYWARD -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to designating tramadol as a schedule III narcotic drug and certain requirements imposed upon distributors, relating to certain compounds containing hydrocodone; and to repeal paragraphs 3 and 4 of subdivision (e) of schedule III of section 3306 of such law relating to the designation of hydrocodone as a schedule III narcotic drug

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

1 Section 1. Paragraphs 3 and 4 of subdivision (e) of schedule III of
2 section 3306 of the public health law are REPEALED and a new paragraph
3 10 is added to read as follows:
4 (10) TRAMADOL IN ANY QUANTITIES.
5 S 2. The public health law is amended by adding a new section 3317 to
6 read as follows:
7 S 3317. REQUIREMENTS FOR CERTAIN COMPOUNDS CONTAINING HYDROCODONE.
8 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A DISTRIBUTOR LICENSED AND
9 REGULATED BY THE DEPARTMENT PURSUANT TO THIS TITLE, REGULATED BY THE
10 STATE BOARD OF PHARMACY PURSUANT TO ARTICLE ONE HUNDRED THIRTY-SEVEN OF
11 THE EDUCATION LAW, AND REGISTERED AND REGULATED BY THE UNITED STATES
12 DRUG ENFORCEMENT ADMINISTRATION, SHALL BE EXEMPT FROM THE STORAGE,
13 REPORTING, ORDERING, RECORD KEEPING AND PHYSICAL SECURITY CONTROL
14 REQUIREMENTS FOR SCHEDULE II CONTROLLED SUBSTANCES WITH REGARD TO ANY
15 MATERIAL, COMPOUND, MIXTURE OR PREPARATION CONTAINING NOT MORE THAN
16 THREE HUNDRED MILLIGRAMS OF DIHYDROCODEINONE (HYDROCODONE) PER ONE
17 HUNDRED MILLILITERS OR NOT MORE THAN FIFTEEN MILLIGRAMS PER DOSAGE UNIT,
18 WITH (A) A FOURFOLD OR GREATER QUANTITY OF AN ISOQUINOLINE ALKALOID OF
19 OPIUM, OR (B) ONE OR MORE ACTIVE NON-NARCOTIC INGREDIENTS IN RECOGNIZED
20 THERAPEUTIC AMOUNTS; OR THEIR SALTS CALCULATED AS THE FREE ANHYDROUS
21 BASE OR ALKALOID. SUCH CONTROLLED SUBSTANCES SHALL BE SUBJECT TO THE
22 SAME SUCH REQUIREMENTS AS THOSE IMPOSED FOR SCHEDULE III NARCOTIC DRUGS.
23 S 3. This act shall take effect immediately.

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

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