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

5392--A

2013-2014 Regular Sessions

I N S E N A T E

May 16, 2013

Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to conditions of registration for nonresident pharmacies

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

Section 1. Subdivision 4 of section 6808-b of the education law, as amended by chapter 567 of the laws of 2002, paragraph f as amended by section 6 of part D of chapter 60 of the laws of 2014, is amended to read as follows:

4. Conditions of registration. As a condition of registration, a nonresident establishment shall comply with the following requirements:

a. Be licensed and/or registered and in good standing with the state of residence;

b. A NONRESIDENT ESTABLISHMENT THAT IS A PHARMACY SHALL BE UNDER THE IMMEDIATE SUPERVISION AND MANAGEMENT OF A PHARMACIST WITH A VALID NEW YORK STATE LICENSE AT ALL HOURS WHEN OPEN;

C. Maintain, in readily retrievable form, records of drugs and/or devices shipped into this state;

[c.] *D.* Supply, upon request, all information needed by the department to carry out the department's responsibilities under the laws and rules and regulations pertaining to nonresident establishments;

[d.] *E.* Comply with all statutory and regulatory requirements of the state where the nonresident establishment is located, for prescription drugs or devices shipped, mailed or delivered into this state, except that for controlled substances shipped, mailed or delivered into this state, the nonresident pharmacy shall follow federal law and New York law relating to controlled substances;

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

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[e.] F. The application shall be made in the manner and form prescribed by the department;

[f.] G. The application of establishments to be registered as a manufacturer, wholesaler or outsourcing facility of drugs and/or devices shall be accompanied by a fee as provided in section sixty-eight hundred eight of this article; and

[g.] H. The application of establishments to be registered as a nonresident pharmacy shall be accompanied by a fee of three hundred forty-five dollars and shall be renewed triennially at a fee of two hundred sixty dollars.

S 2. This act shall take effect immediately.