

9251

I N   A S S E M B L Y

February 5, 2016

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

AN ACT to amend the public health law, in relation to the distribution  
and use of opioid antagonists

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

1     Section 1. Section 3309 of the public health law is amended by adding  
2     two new subdivisions 6 and 7 to read as follows:

3     6. (A) EACH PERSON, ENTITY OR PHARMACIST THAT SELLS AND DISPENSES AT  
4     RETAIL AN OPIOID ANTAGONIST IN A FORM THAT PROVIDES THE MEANS TO DIRECT-  
5     LY ADMINISTER SUCH OPIOID ANTAGONIST TO A PERSON EXPERIENCING OR AT RISK  
6     OF EXPERIENCING AN OPIOID-RELATED OVERDOSE SHALL, ON OR BEFORE THE  
7     FIFTEENTH OF EACH MONTH, REPORT TO THE DEPARTMENT, THE TOTAL NUMBER OF  
8     DOSES OF SUCH OPIOID ANTAGONISTS SOLD AND DISPENSED DURING THE PREVIOUS  
9     MONTH.

10    (B) EACH HOSPITAL, DIAGNOSTIC AND TREATMENT CENTER, CLINIC, PRACTICE  
11    COMPOSED OF A HEALTH CARE PROFESSIONAL OR HEALTH CARE PROFESSIONALS,  
12    ENTITY OR PERSON CERTIFIED OR OPERATING PURSUANT TO ARTICLE THIRTY OF  
13    THIS CHAPTER, AND ORGANIZATION REGISTERED AS AN OPIOID OVERDOSE  
14    PREVENTION PROGRAM SHALL, ON OR BEFORE THE FIFTEENTH OF EACH MONTH,  
15    REPORT TO THE DEPARTMENT THE TOTAL NUMBER OF DOSES OF OPIOID ANTAGONISTS  
16    IT PURCHASED OR RECEIVED DURING THE PREVIOUS MONTH, THE TOTAL NUMBER OF  
17    DOSES THEREOF REMAINING IN ITS INVENTORY AT THE END OF THE PREVIOUS  
18    MONTH, AND TOTAL NUMBER OF DOSES OF OPIOID ANTAGONISTS DISTRIBUTED TO  
19    THE PUBLIC TO ACTUAL OR POTENTIAL ADMINISTRATION TO PERSONS EXPERIENCING  
20    OR AT RISK OF EXPERIENCING AN OPIOID-RELATED OVERDOSE.

21    (C) THE DEPARTMENT SHALL, FOR EACH CALENDAR QUARTER, ISSUE A REPORT TO  
22    THE GOVERNOR, THE LEGISLATURE AND THE PUBLIC ON THE AGGREGATE NUMBER OF  
23    DOSES OF OPIOID ANTAGONISTS DISPENSED TO THE PUBLIC, AS REPORTED PURSU-  
24    ANT TO PARAGRAPHS (A) AND (B) OF THIS SUBDIVISION, ON A STATEWIDE BASIS,  
25    BY COUNTY AND BY SOURCE OF THE PROVISION OF THE OPIOID ANTAGONIST.

26    7. (A) EACH PERSON AND OPIOID ANTAGONIST RECIPIENT WHO ADMINISTERS AN  
27    OPIOID ANTAGONIST TO A PERSON WHO IS EXPERIENCING OR AT RISK OF EXPERI-  
28    ENCING AN OPIOID-RELATED OVERDOSE, OR WHO, IN HIS OR HER CAPACITY AS A

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

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1 HEALTH CARE PROVIDER, HAS REASON TO BELIEVE THAT AN OPIOID ANTAGONIST  
2 HAS BEEN ADMINISTERED TO A PERSON EXPERIENCING OR WHO IS AT RISK OF  
3 EXPERIENCING AN OPIOID-RELATED OVERDOSE, SHALL REPORT, IN SUCH MANNER OR  
4 MANNERS AS SHALL BE DETERMINED BY THE COMMISSIONER, TO THE DEPARTMENT  
5 THE TIME, DATE, PLACE AND COUNTY OF SUCH ADMINISTRATION OF AN OPIOID  
6 ANTAGONIST. FURTHERMORE, TO THE EXTENT PRACTICABLE, SUCH REPORT SHALL  
7 INCLUDE THE ETHNICITY, GENDER AND AGE OF THE PERSON WHO RECEIVED THE  
8 ADMINISTRATION OF THE OPIOID ANTAGONIST.

9 (B) THE DEPARTMENT SHALL ESTABLISH AND OPERATE AN ELECTRONIC DATABASE,  
10 ACCESSIBLE TO THE PUBLIC, WHICH INCLUDES THE COMPILATION OF THE INFORMA-  
11 TION REPORTED PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION.

12 S 2. This act shall take effect on the first of January next succeed-  
13 ing the date on which it shall have become a law. Provided, however,  
14 that, effective immediately, any actions necessary to implement the  
15 provisions of this act on its effective date are authorized and directed  
16 to be completed on or before such effective date.