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I N   A S S E M B L Y

May 2, 2016

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Introduced by M. of A. PAULIN, COOK, CYMBROWITZ, ABINANTI, GUNTHER, FARRELL, WEPRIN, HEVESI, RYAN, TITUS, STIRPE, SKOUFIS, BUCHWALD, GOLD-FEDER, DiPIETRO, BRABENEC, GRAF, BLAKE, FAHY, ORTIZ, COLTON, WALTER -- Multi-Sponsored by -- M. of A. BARCLAY, BLANKENBUSH, CAHILL, CROUCH, FRIEND, GALEF, GOODELL, GOTTFRIED, HIKIND, KEARNS, LUPARDO, MAGEE, PALMESANO, RIVERA, SKARTADOS, STEC, WOERNER -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to the use of oral medications by optometrists; and providing for the repeal of certain provisions upon expiration thereof

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

1     Section 1. Paragraph (e) of subdivision 1 of section 7101-a of the  
2 education law, as added by chapter 517 of the laws of 1995, is amended  
3 to read as follows:  
4     (e) [Phase one] TOPICAL therapeutic pharmaceutical agents. [Phase one]  
5 TOPICAL THERAPEUTIC pharmaceutical agents shall mean those drugs which  
6 shall be limited to topical application to the surface of the eye for  
7 therapeutic purposes and shall be limited to:  
8     (i) antibiotic/antimicrobials;  
9     (ii) decongestants/anti-allergens;  
10    (iii) non-steroidal anti-inflammatory agents;  
11    (iv) steroidal anti-inflammatory agents;  
12    (v) antiviral agents;  
13    (vi) hyperosmotic/hypertonic agents;  
14    (vii) cycloplegics;  
15    (viii) artificial tears and lubricants; AND  
16    (IX) IMMUNOSUPPRESSIVE AGENTS.  
17     S 2. Paragraph (f) of subdivision 1 of section 7101-a of the education  
18 law, as added by chapter 517 of the laws of 1995, is amended to read as  
19 follows:

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

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(f) [Phase two therapeutic] THERAPEUTIC pharmaceutical agents FOR TREATMENT OF GLAUCOMA AND OCULAR HYPERTENSION. [Phase two] THERAPEUTIC pharmaceutical agents FOR TREATMENT OF GLAUCOMA AND OCULAR HYPERTENSION shall mean those drugs which shall be limited to topical application to the surface of the eye and shall be limited to:

- (i) beta blockers;
- (ii) alpha agonists;
- (iii) direct acting cholinergic agents;
- (IV) PROSTAGLANDIN ANALOGS; AND
- (V) CARBONIC ANHYDRASE INHIBITORS.

S 3. Subdivision 1 of section 7101-a of the education law is amended by adding a new paragraph (g) to read as follows:

(G) ORAL THERAPEUTIC PHARMACEUTICAL AGENTS. ORAL THERAPEUTIC PHARMACEUTICAL AGENTS SHALL MEAN THOSE ORALLY ADMINISTERED DRUGS USED FOR THERAPEUTIC PURPOSES SOLELY FOR THE TREATMENT OF DISEASES OF THE EYE AND ADnexa AND SHALL BE LIMITED TO:

(I) THE FOLLOWING ANTIBIOTICS, INCLUDING, WHERE APPLICABLE, THE GENERIC EQUIVALENT OF ANY OF THE LISTED DRUGS:

- (1) AUGMENTIN;
- (2) KEFLEX;
- (3) AZITHROMYCIN;
- (4) BACTRIM;
- (5) DOXYCYCLINE; AND
- (6) TETRACYCLINE;

(II) THE FOLLOWING DECONGESTANTS/ANTI-ALLERGENIC/ANTI-HISTAMINES, INCLUDING THE GENERIC EQUIVALENTS OF THE LISTED DRUGS:

- (1) CLARINEX;
- (2) XYZAL; AND
- (3) SINGULAIR;

(III) THE FOLLOWING ANTIGLAUCOMA AGENTS, INCLUDING THE GENERIC EQUIVALENTS OF SUCH AGENTS, USED FOR THE MANAGEMENT OF ACUTE INCREASES IN INTRAOCULAR PRESSURE; PROVIDED, HOWEVER, AN OPTOMETRIST MAY USE OR PRESCRIBE A MAXIMUM OF ONE TWENTY-FOUR HOUR PRESCRIPTION AND SHALL IMMEDIATELY REFER THE PATIENT TO A LICENSED PHYSICIAN SPECIALIZING IN DISEASES OF THE EYE:

- (1) DIAMOX; AND
- (2) NEPTAZANE;

(IV) THE FOLLOWING ANTIVIRAL AGENTS FOR HERPES ZOSTER OPHTHALMICUS; PROVIDED AN OPTOMETRIST SHALL USE OR PRESCRIBE IN MAXIMUM, SEVEN-DAY PRESCRIPTIONS; PROVIDED, HOWEVER, IF A PATIENT IS DIAGNOSED WITH HERPES ZOSTER OPHTHALMICUS AND HAS NOT ALREADY BEEN EXAMINED BY A PRIMARY CARE PHYSICIAN OR OTHER APPROPRIATE PHYSICIAN FOR SUCH VIRAL CONDITION, AN OPTOMETRIST SHALL REFER THE PATIENT TO A LICENSED PRIMARY CARE PHYSICIAN, LICENSED PHYSICIAN SPECIALIZING IN DISEASES OF THE EYE, OR OTHER APPROPRIATE PHYSICIAN WITHIN THREE DAYS OF SUCH DIAGNOSIS:

- (1) VALACYCLOVIR; AND
- (2) ACYCLOVIR; AND
- (V) THE FOLLOWING NON-STEROIDAL ANTI-INFLAMMATORY AGENTS:
  - (1) COX-2 INHIBITORS;
  - (2) IBUPROFEN; AND
  - (3) NAPROXEN.

S 4. The subdivision heading and paragraph (a) of subdivision 4 of section 7101-a of the education law, as added by chapter 517 of the laws of 1995, is amended to read as follows:

[Phase one] TOPICAL therapeutic pharmaceutical agents. (a) Before using or prescribing [phase one] TOPICAL therapeutic pharmaceutical

agents, each optometrist shall have completed at least three hundred hours of clinical training in the diagnosis, treatment and management of patients with ocular disease other than glaucoma and ocular hypertension, not fewer than twenty-five hours of such training shall have been completed subsequent to June thirtieth, nineteen hundred ninety-three and additionally shall either have taken and successfully passed the treatment and management of ocular diseases portion of the National Board of Examiners in Optometry test or have taken and successfully passed an examination acceptable to the board.

S 5. Paragraph (b) of subdivision 4 of section 7101-a of the education law, as added by chapter 517 of the laws of 1995, is amended to read as follows:

(b) Before using or prescribing [phase two] therapeutic pharmaceutical agents FOR TREATMENT OF GLAUCOMA AND OCULAR HYPERTENSION, an optometrist must be certified for diagnostic and [phase one] TOPICAL therapeutic agents and have completed an additional one hundred hours of clinical training in the diagnosis, treatment and management of patients with glaucoma and ocular hypertension, not fewer than twenty-five hours of such training shall have been completed subsequent to July first, nineteen hundred ninety-four, and shall have taken and successfully passed an oral or written examination acceptable by the board.

S 6. Paragraphs (c) and (d) of subdivision 4 of section 7101-a of the education law are relettered paragraphs (d) and (e) and a new paragraph (c) is added to read as follows:

(C) BEFORE USING OR PRESCRIBING ORAL THERAPEUTIC PHARMACEUTICAL AGENTS, AN OPTOMETRIST MUST BE CERTIFIED TO PRESCRIBE DIAGNOSTIC PHARMACEUTICAL AGENTS AND TOPICAL THERAPEUTIC AND THERAPEUTIC PHARMACEUTICAL AGENTS FOR TREATMENT OF GLAUCOMA AND OCULAR HYPERTENSION, HAVE COMPLETED AN ORAL THERAPEUTIC PHARMACEUTICAL AGENT CERTIFICATION COURSE AND HAVE PASSED AN EXAMINATION, WITH A CURRICULUM AND EXAMINATION DEVELOPED BY ACADEMIC FACULTY REPRESENTATIVES APPROVED BY THE DEPARTMENT FROM A NEW YORK STATE ACCREDITED COLLEGE OF OPTOMETRY, FROM A DEPARTMENT OF OPHTHALMOLOGY AT A NEW YORK STATE ACCREDITED MEDICAL SCHOOL UPON THE RECOMMENDATION OF A STATEWIDE PROFESSIONAL ORGANIZATION CONSISTING OF OPHTHALMOLOGISTS, AND FROM A DEPARTMENT OF PHARMACOLOGY AT A NEW YORK STATE ACCREDITED MEDICAL SCHOOL.

(I) THE CURRICULUM SHALL INCLUDE, BUT NOT BE LIMITED TO, INSTRUCTION IN PHARMACOLOGY AND DRUG INTERACTION IN TREATING OCULAR DISEASE AND BE TAUGHT THROUGH CLINICAL CASE SCENARIOS AND EMPHASIZE CLINICAL DECISION MAKING AND SHALL BE NO LESS THAN FORTY HOURS, OF WHICH NO LESS THAN TWENTY-FOUR HOURS SHALL BE LIVE INSTRUCTION.

(II) SUCH COURSE SHALL QUALIFY TOWARDS MEETING THE CONTINUING EDUCATION PER TRIENNIAL REGISTRATION REQUIREMENT PURSUANT TO SUBDIVISION SEVEN OF THIS SECTION.

(III) THE EXAMINATION SHALL TEST THE KNOWLEDGE OF MATERIALS IN THE CURRICULUM.

(IV) IF AN OPTOMETRIST FAILS TO PASS THE EXAMINATION, SUCH OPTOMETRIST MAY RETAKE THE EXAMINATION FOLLOWING COMPLETION OF THE CERTIFICATION COURSE, AND MAY RETAKE THE EXAMINATION A MAXIMUM OF TWO ADDITIONAL TIMES, PROVIDED THAT AN OPTOMETRIST MAY BE AUTHORIZED TO RETAKE THE EXAMINATION BEYOND SUCH MAXIMUM NUMBER UPON APPLICATION BY THE OPTOMETRIST AND A DETERMINATION OF GOOD CAUSE SHOWN BY THE COMMISSIONER.

(V) THE INITIAL, AND ANY SUBSEQUENT, CURRICULUM AND EXAMINATION SHALL BE SUBJECT TO REVIEW AND APPROVAL BY THE DEPARTMENT.

(VI) THE REQUIREMENT FOR THE ORAL THERAPEUTIC PHARMACEUTICAL AGENT CERTIFICATION COURSE AND EXAMINATION SHALL NOT APPLY TO THOSE OPTOME-

TRISTS WHO GRADUATED FROM AN ACCREDITED COLLEGE OF OPTOMETRY SUBSEQUENT TO JANUARY FIRST, TWO THOUSAND SIX AND HAVE TAKEN AND SUCCESSFULLY PASSED THE NATIONAL BOARD OF EXAMINERS IN OPTOMETRY TEST OR AN EXAMINATION ACCEPTABLE TO THE BOARD.

S 7. Subdivision 5 of section 7101-a of the education law, as added by chapter 517 of the laws of 1995, is amended to read as follows:

5. Suspension of certification. The department shall suspend the certification for the use and prescribing of [phase one] TOPICAL therapeutic agents of any optometrist who fails to receive certification for [phase two] therapeutic pharmaceutical agents FOR TREATMENT OF GLAUCOMA AND OCULAR HYPERTENSION within three years of having been certified for [phase one] TOPICAL therapeutic pharmaceutical agents.

S 8. The subdivision heading of subdivision 6 of section 7101-a of the education law, as added by chapter 517 of the laws of 1995, is amended to read as follows:

Consultation WITH USE OF CERTAIN TOPICAL THERAPEUTIC PHARMACEUTICAL AGENTS FOR TREATMENT OF GLAUCOMA AND OCULAR HYPERTENSION.

S 9. Subdivision 7 of section 7101-a of the education law, as added by chapter 517 of the laws of 1995, is amended to read as follows:

7. Continuing education. Each optometrist certified to use [phase one or phase two] TOPICAL THERAPEUTIC PHARMACEUTICAL AGENTS AND therapeutic pharmaceutical agents FOR TREATMENT OF GLAUCOMA AND OCULAR HYPERTENSION, shall complete a minimum of thirty-six hours of continuing education IN THE AREA OF OCULAR DISEASE AND PHARMACOLOGY per triennial registration period. [The education shall be in the area of ocular disease and pharmacology and may include both didactic and clinical components.] EACH OPTOMETRIST CERTIFIED TO USE ORAL THERAPEUTIC PHARMACEUTICAL AGENTS SHALL, IN ADDITION TO THE MINIMUM THIRTY-SIX HOURS OF CONTINUING EDUCATION PROVIDED FOR IN THIS SUBDIVISION, COMPLETE AN ADDITIONAL MINIMUM OF THIRTY-NINE HOURS OF CONTINUING EDUCATION RELATED TO SYSTEMIC DISEASE AND THERAPEUTIC TREATMENT PER TRIENNIAL REGISTRATION PERIOD. Such educational programs MAY INCLUDE BOTH DIDACTIC AND CLINICAL COMPONENTS AND shall be approved in advance by the department and evidence of the completion of this requirement shall be submitted with each application for license renewal as required by section sixty-five hundred two of this chapter.

S 10. The subdivision heading and subparagraph (i) of paragraph (a) of subdivision 8 of section 7101-a of the education law, as added by chapter 517 of the laws of 1995, are amended to read as follows:

Notice to patient WITH THE USE OR PRESCRIPTION OF TOPICAL THERAPEUTIC PHARMACEUTICAL AGENTS AND THERAPEUTIC PHARMACEUTICAL AGENTS FOR TREATMENT OF GLAUCOMA AND OCULAR HYPERTENSION.

(i) An optometrist prescribing TOPICAL steroids or antiviral medication shall inform each patient that in the event the condition does not improve within five days, a physician of the patient's choice will be notified.

S 11. Subdivision 10 of section 7101-a of the education law, as added by chapter 517 of the laws of 1995, is amended to read as follows:

10. Pharmaceutical agents. Optometrists who have been approved and certified by the department shall be permitted to use the following drugs:

(a) Diagnostic pharmaceuticals.

(b) Those optometrists having been certified for [phase one] TOPICAL therapeutic pharmaceutical agents shall be authorized [(i) to use and recommend all nonprescription medications appropriate for ocular disease whether intended for topical or oral use; and (ii)] to use and prescribe

1 all [phase one] TOPICAL therapeutic pharmaceutical agents SPECIFIED IN  
2 PARAGRAPH (E) OF SUBDIVISION ONE OF THIS SECTION, which are FDA approved  
3 and commercially available FOR TOPICAL USE.

4 In the event an optometrist treats a patient with topical antiviral or  
5 steroidal drugs and the patient's condition either fails to improve or  
6 worsens within five days, the optometrist shall notify a physician  
7 designated by the patient or, if none, by the treating optometrist.

8 (c) Those optometrists having been certified for [phase two] therapeutic  
9 pharmaceutical agents FOR TREATMENT OF GLAUCOMA AND OCULAR HYPERTEN-  
10 SION shall be authorized to use and prescribe [phase two] therapeutic  
11 pharmaceutical agents FOR TREATMENT OF GLAUCOMA AND OCULAR HYPERTENSION  
12 SPECIFIED IN PARAGRAPH (F) OF SUBDIVISION ONE OF THIS SECTION, which are  
13 FDA approved and commercially available.

14 (D) THOSE OPTOMETRISTS HAVING BEEN CERTIFIED FOR ORAL THERAPEUTIC  
15 PHARMACEUTICAL AGENTS SHALL BE AUTHORIZED TO USE AND PRESCRIBE ORAL  
16 THERAPEUTIC PHARMACEUTICAL AGENTS SPECIFIED IN PARAGRAPH (G) OF SUBDIVI-  
17 SION ONE OF THIS SECTION, WHICH ARE FDA APPROVED AND COMMERCIALY AVAIL-  
18 ABLE AND SHALL COMPLY WITH ALL SAFETY INFORMATION AND SIDE-EFFECT AND  
19 WARNING ADVISORIES CONTAINED IN THE MOST CURRENT PHYSICIANS' DESK REFER-  
20 ENCE.

21 (E) THOSE OPTOMETRISTS HAVING BEEN CERTIFIED FOR TOPICAL THERAPEUTIC  
22 PHARMACEUTICAL AGENTS, THERAPEUTIC PHARMACEUTICAL AGENTS FOR TREATMENT  
23 OF GLAUCOMA AND OCULAR HYPERTENSION OR ORAL THERAPEUTIC PHARMACEUTICAL  
24 AGENTS SHALL BE AUTHORIZED TO USE AND RECOMMEND ALL NONPRESCRIPTION  
25 MEDICATIONS, WHETHER INTENDED FOR TOPICAL OR ORAL USE, APPROPRIATE FOR  
26 THE TREATMENT OF THE EYE AND ADNEXA.

27 S 12. Section 7101-a of the education law is amended by adding a new  
28 subdivision 13 to read as follows:

29 13. ORAL THERAPEUTIC PHARMACEUTICAL AGENT IMPLEMENTATION REVIEW. (A)  
30 EACH OPTOMETRIST CERTIFIED TO USE ORAL THERAPEUTIC PHARMACEUTICAL AGENTS  
31 PURSUANT TO PARAGRAPH (C) OF SUBDIVISION FOUR OF THIS SECTION SHALL  
32 PROVIDE THE DEPARTMENT WITH INFORMATION, ON A FORM PRESCRIBED BY THE  
33 COMMISSIONER, RELATED TO THE PRESCRIPTION OR USE OF ORAL THERAPEUTIC  
34 PHARMACEUTICAL AGENTS PROVIDED FOR IN THIS SECTION. SUCH INFORMATION  
35 SHALL INCLUDE THE OPTOMETRIST'S NAME, LICENSE NUMBER, WHETHER NO ORAL  
36 PRESCRIPTIONS HAVE BEEN ISSUED AND IN THE EVENT THAT ORAL PRESCRIPTIONS  
37 HAVE BEEN ISSUED, THEN THE FOLLOWING INFORMATION SHALL BE REQUIRED: THE  
38 PRESCRIBED OR USED ORAL THERAPEUTIC PHARMACEUTICAL AGENT, THE DOSAGE OF  
39 SUCH AGENT, THE DATE OF THE PRESCRIPTION, THE DIAGNOSIS OF THE PATIENT  
40 FOR WHICH THE AGENT WAS PRESCRIBED OR USED, AND WHETHER A REFERRAL WAS  
41 MADE IN ACCORDANCE WITH PARAGRAPH (G) OF SUBDIVISION ONE OF THIS  
42 SECTION. SUCH INFORMATION SHALL NOT INCLUDE ANY PATIENT IDENTIFYING  
43 INFORMATION AND MUST OTHERWISE BE IN COMPLIANCE WITH ALL STATE AND  
44 FEDERAL REQUIREMENTS RELATED TO PROTECTED HEALTH INFORMATION. EACH FORM  
45 SHALL BE SUBMITTED BY MAIL OR ELECTRONIC MEANS TO THE DEPARTMENT ON A  
46 QUARTERLY BASIS. IF A DATABASE OF ALL ORAL THERAPEUTIC PHARMACEUTICAL  
47 AGENTS PRESCRIBED OR USED BY OPTOMETRISTS IS, OR BECOMES, AVAILABLE TO  
48 THE COMMITTEE PROVIDED FOR IN THIS SUBDIVISION, THEN OPTOMETRISTS WILL  
49 BE ADVISED BY THE COMMISSIONER THAT QUARTERLY REPORTING FORMS WILL NO  
50 LONGER BE REQUIRED. THE REQUIREMENTS OF THIS PARAGRAPH SHALL REMAIN IN  
51 EFFECT FOR FIVE YEARS FOLLOWING APPROVAL BY THE DEPARTMENT OF THE  
52 INITIAL ORAL THERAPEUTIC PHARMACEUTICAL AGENT CERTIFICATION COURSE AND  
53 EXAMINATION PURSUANT TO PARAGRAPH (C) OF SUBDIVISION FOUR OF THIS  
54 SECTION, AFTER WHICH TIME THESE REQUIREMENTS SHALL EXPIRE AND NO LONGER  
55 HAVE EFFECT.

1 (B) THE COMMISSIONER SHALL APPOINT A COMMITTEE TO ADVISE AND ASSIST  
2 THE COMMISSIONER IN EVALUATING COMPLIANCE WITH THE PROVISIONS OF THIS  
3 SECTION AND TO IDENTIFY ANY NECESSARY ENHANCEMENTS TO THE CURRICULUM  
4 PROVIDED FOR IN THIS SECTION AND OTHER EDUCATIONAL MATERIALS AND TO  
5 ASSIST IN ENSURING PATIENT SAFETY. THE COMMITTEE SHALL CONSIST OF ONE  
6 PHARMACIST, ONE OPTOMETRIST UPON THE RECOMMENDATION OF A STATEWIDE  
7 PROFESSIONAL ORGANIZATION CONSISTING OF OPTOMETRISTS, ONE OPHTHALMOLO-  
8 GIST UPON THE RECOMMENDATION OF A STATEWIDE PROFESSIONAL ORGANIZATION  
9 CONSISTING OF OPHTHALMOLOGISTS, AND ONE EXPERT IN THE FIELD OF PUBLIC  
10 HEALTH WHO SHALL BE DESIGNATED AS CHAIR BY THE COMMISSIONER IN CONSULTA-  
11 TION WITH THE COMMISSIONER OF THE DEPARTMENT OF HEALTH AND WHO SHALL BE  
12 NEITHER AN OPHTHALMOLOGIST NOR AN OPTOMETRIST.

13 (C) THE COMMISSIONER SHALL SUBMIT EACH FORM RECEIVED PURSUANT TO THIS  
14 SUBDIVISION TO THE COMMITTEE. THE COMMITTEE SHALL REVIEW THE FORMS AND  
15 SHALL RANDOMLY CROSS-CHECK SUCH SUBMISSIONS WITH A PUBLICLY AVAILABLE OR  
16 OTHER DATABASE CONTAINING ELECTRONIC PRESCRIBER INFORMATION. SHOULD A  
17 DATABASE OF ALL ORAL THERAPEUTIC PHARMACEUTICAL AGENTS PRESCRIBED OR  
18 USED BY OPTOMETRISTS BECOME AVAILABLE PURSUANT TO THIS SECTION, AND THE  
19 COMMISSIONER DETERMINES AND ADVISES OPTOMETRISTS THAT QUARTERLY REPORTS  
20 ARE NO LONGER NECESSARY, THEN THE COMMITTEE SHALL REVIEW THE DATABASE  
21 AND ASCERTAIN THE PRESCRIBING INFORMATION FOR ALL OPTOMETRISTS CONSIST-  
22 ENT WITH THIS SECTION. THE COMMITTEE SHALL ADVISE THE COMMISSIONER AS  
23 TO COMPLIANCE WITH THE PROVISIONS OF THIS SECTION FOR THE PURPOSE OF  
24 EVALUATING COMPLIANCE WITH THE PROVISIONS OF THIS SECTION INCLUDING THE  
25 APPLICABLE REFERRALS AND DOSING LIMITATIONS AND TO IDENTIFY ANY NECES-  
26 SARY ENHANCEMENTS TO THE CURRICULUM PROVIDED FOR IN THIS SECTION AND  
27 OTHER EDUCATIONAL MATERIALS AND TO ASSIST IN ENSURING PATIENT SAFETY.  
28 UPON FINDING EVIDENCE OF NON-COMPLIANCE BY ANY OPTOMETRIST, THE COMMIT-  
29 TEE SHALL REFER SUCH INFORMATION TO THE COMMISSIONER AND TO THE OFFICE  
30 OF PROFESSIONS FOR INVESTIGATION AND, IF APPLICABLE, DISCIPLINARY  
31 ACTION.

32 S 13. Subdivision 8 of section 7104 of the education law, as amended  
33 by chapter 517 of the laws of 1995, is amended to read as follows:

34 (8) Fees: pay a fee of two hundred twenty dollars to the department  
35 for admission to a department conducted examination and for an initial  
36 license, a fee of one hundred fifteen dollars for each reexamination, a  
37 fee of one hundred thirty-five dollars for an initial license for  
38 persons not requiring admission to a department conducted examination,  
39 [and] a fee of two hundred ten dollars for each triennial registration  
40 period, [and] for additional authorization for the purpose of utilizing  
41 diagnostic pharmaceutical agents, a fee of sixty dollars, AND FOR  
42 CERTIFICATION TO USE OR PRESCRIBE ORAL THERAPEUTIC PHARMACEUTICAL  
43 AGENTS, A FEE OF ONE HUNDRED DOLLARS.

44 S 14. This act shall take effect one year after it shall have become a  
45 law; provided that:

46 (a) subdivision 13 of section 7101-a of the education law added by  
47 section twelve of this act shall expire and be deemed repealed five  
48 years following the approval by the department of education of the  
49 initial certification course and examination pursuant to paragraph (c)  
50 of subdivision 4 of section 7101-a of the education law as added by  
51 section six of this act;

52 (b) the commissioner of education shall notify the legislative bill  
53 drafting commission upon approval of the initial certification course  
54 and examination required in section six of this act in order that the  
55 commission may maintain an accurate and timely effective data base of  
56 the official text of the laws of the state of New York in furtherance of

1 effectuating the provisions of section 44 of the legislative law and  
2 section 70-b of the public officers law; and  
3 (c) any rule or regulation necessary for the timely implementation of  
4 this act on its effective date shall be promulgated on or before such  
5 effective date.