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

5662--A

2015-2016 Regular Sessions

I N S E N A T E

May 26, 2015

Introduced by Sen. HAMILTON -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to the prescription of antidepressant and anti-anxiety medications which have an increased risk of suicidal behavior

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

Section 1. The mental hygiene law is amended by adding a new section 7.47 to read as follows:

S 7.47 ANTIDEPRESSANT AND ANTI-ANXIETY MEDICATIONS; SUICIDE RISK.

(A) WHEN A PATIENT RECEIVES A PRESCRIPTION FOR AN ANTIDEPRESSANT OR ANTI-ANXIETY MEDICATION IN AN OUTPATIENT SETTING, AND THE MEDICATION HAS AN INCREASED RISK OF SUICIDALITY, THE OFFICE SHALL IDENTIFY SUCH MEDICATIONS AND SHALL REQUIRE PHARMACISTS IN THE COURSE OF CONSULTATION, UPON THE FIRST TIME DISPENSING OF THE MEDICATION TO THE PATIENT, TO PROVIDE THE FOLLOWING:

(1) THE TOLL-FREE SUICIDE PREVENTION LIFELINE TELEPHONE NUMBER ESTABLISHED BY THE OFFICE;

(2) THE SUICIDE PREVENTION LIFELINE WEBSITE INTERNET ADDRESS ESTABLISHED BY THE OFFICE; AND

(3) A PAMPHLET PUBLISHED BY THE OFFICE SETTING FORTH ALL RELEVANT INFORMATION REGARDING THE INCREASED RISK OF SUICIDE AND SUICIDAL SIDE EFFECTS ASSOCIATED WITH THE MEDICATION, INCLUDING, BUT NOT LIMITED TO, INFORMATION SETTING FORTH THE WARNING SIGNS ASSOCIATED WITH SUCH SUICIDAL BEHAVIOR AND ANY OTHER INFORMATION THE OFFICE DEEMS RELEVANT.

(B) ANY CONSULTATION REQUIRED BY SUBDIVISION (A) OF THIS SECTION WITH A PERSON UNDER SEVENTEEN YEARS OF AGE SHALL REQUIRE THAT A PARENT OR LEGAL GUARDIAN OF SUCH PERSON BE IN ATTENDANCE DURING SUCH CONSULTATION.

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

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(C) NO MEDICATION DESCRIBED IN SUBDIVISION (A) OF THIS SECTION SHALL BE DISPENSED, DISPERSED OR OTHERWISE GIVEN TO A PERSON UNDER SEVENTEEN YEARS OF AGE UNLESS A PARENT OR LEGAL GUARDIAN OF SUCH PERSON IS IN ATTENDANCE DURING THE CONSULTATION.

(D) THE OFFICE IS AUTHORIZED AND DIRECTED TO PROMULGATE ANY RULES AND REGULATIONS AND PREPARE PAMPHLETS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

S 2. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized to be made and completed on or before such date.