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

6516

I N S E N A T E

January 22, 2016

Introduced by Sens. AMEDORE, MURPHY, ORTT -- read twice and ordered printed, and when printed to be committed 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:

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

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

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

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

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

(B) THE DEPARTMENT SHALL ESTABLISH AND OPERATE AN ELECTRONIC DATABASE, ACCESSIBLE TO THE PUBLIC, WHICH INCLUDES THE COMPILATION OF THE INFORMATION REPORTED PURSUANT TO PARAGRAPH (A) OF THIS SUBDIVISION.

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