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

10295

I N A S S E M B L Y

May 20, 2016

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

AN ACT to amend the mental hygiene law, the education law and the public health law, in relation to the dispensing and administering of opiates, opium, and the salts, compounds, derivatives and preparations thereof

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

Section 1. Section 19.07 of the mental hygiene law is amended by adding a new subdivision (l) to read as follows:

(L) THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES SHALL (I) ESTABLISH AND DISTRIBUTE TO EVERY PHARMACY, REGISTERED PURSUANT TO ARTICLE ONE HUNDRED THIRTY-SEVEN OF THE EDUCATION LAW, CARDS OR PAMPHLETS TO BE PROVIDED TO EACH PERSON TO WHOM ANY OPIATE, OPIUM, OR ANY SALT, COMPOUND, DERIVATIVE OR PREPARATION THEREOF DEFINED AS A CONTROLLED SUBSTANCE IN SECTION THIRTY-THREE HUNDRED SIX OF THE PUBLIC HEALTH LAW IS LAWFULLY DISPENSED; AND (II) ESTABLISH FOR EACH HOSPITAL, OPERATED PURSUANT TO ARTICLE TWENTY-EIGHT OF THE PUBLIC HEALTH LAW, A STATEMENT TO BE INCLUDED ON THE DISCHARGE INFORMATION PROVIDED TO EACH PATIENT TO WHOM ANY OPIATE, OPIUM, OR ANY SALT, COMPOUND, DERIVATIVE OR PREPARATION THEREOF DEFINED AS A CONTROLLED SUBSTANCE IN SECTION THIRTY-THREE HUNDRED SIX OF THE PUBLIC HEALTH LAW IS ADMINISTERED WHILE ADMITTED TO THE HOSPITAL. SUCH CARDS, PAMPHLETS AND DISCHARGE STATEMENT SHALL INCLUDE THE FOLLOWING INFORMATION:

1. THE RISKS OF USING OR CONSUMING SUCH CONTROLLED SUBSTANCES;

2. THE PHYSICAL, BEHAVIORAL AND ADVANCED WARNING SIGNS OF ADDICTION TO SUCH CONTROLLED SUBSTANCES;

3. THE HOPELINE TELEPHONE CONTACT NUMBER (1-877-8-HOPE-NY) AND TEXT NUMBER (HOPENY) FOR THE HOPELINE OPERATED BY THE OFFICE;

4. THE PROCEDURES FOR THE SAFE DISPOSAL OF UNUSED CONTROLLED SUBSTANCES ESTABLISHED PURSUANT TO SECTION THIRTY-THREE HUNDRED FORTY-THREE-B OF THE PUBLIC HEALTH LAW; AND

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

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5. SUCH OTHER INFORMATION AS THE COMMISSIONER SHALL DETERMINE TO BE NECESSARY OR INFORMATIVE RELATING TO THE USE, CONSUMPTION OR ABUSE OF, OR ADDICTION TO SUCH CONTROLLED SUBSTANCES.

S 2. The education law is amended by adding a new section 6832 to read as follows:

S 6832. DISPENSING OPIATES, OPIUM, AND THE SALTS, COMPOUNDS, DERIVATIVES AND PREPARATIONS THEREOF. UPON THE AUTHORIZED DISPENSING OF ANY OPIATE, OPIUM, OR ANY SALT, COMPOUND, DERIVATIVE OR PREPARATION THEREOF DEFINED AS A CONTROLLED SUBSTANCE IN SECTION THIRTY-THREE HUNDRED SIX OF THE PUBLIC HEALTH LAW, A LICENSED PHARMACIST SHALL INCLUDE, WITH SUCH CONTROLLED SUBSTANCE, THE CARD OR PAMPHLET ESTABLISHED AND DISTRIBUTED BY THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES PURSUANT TO SUBDIVISION (1) OF SECTION 19.07 OF THE MENTAL HYGIENE LAW.

S 3. The public health law is amended by adding a new section 2803-u to read as follows:

S 2803-U. DISCHARGE INFORMATION FOR PATIENTS ADMINISTERED OPIATES. UPON THE DISCHARGE OF A PATIENT FROM A HOSPITAL, WHO WAS ADMINISTERED ANY OPIATE, OPIUM, OR ANY SALT, COMPOUND, DERIVATIVE OR PREPARATION THEREOF DEFINED AS A CONTROLLED SUBSTANCE IN SECTION THIRTY-THREE HUNDRED SIX OF THIS CHAPTER, WHILE ADMITTED TO SUCH HOSPITAL, THE HOSPITAL SHALL INCLUDE, IN THE DISCHARGE INFORMATION PROVIDED TO THE PATIENT, THE DISCHARGE STATEMENT ESTABLISHED BY THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES PURSUANT TO SUBDIVISION (1) OF SECTION 19.07 OF THE MENTAL HYGIENE LAW. FURTHERMORE, BEFORE SUCH PATIENT IS DISCHARGED, HE OR SHE SHALL SIGN A STATEMENT THAT HE OR SHE HAS READ AND UNDERSTANDS SUCH DISCHARGE STATEMENT.

S 4. This act shall take effect immediately, except that sections two and three of this act shall take effect on the first of January next succeeding the date on which it shall have become a law.