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

9883--A

Cal. No. 625

I N A S S E M B L Y

April 22, 2016

Introduced by M. of A. GUNTHER, MOSLEY, KAVANAGH -- Multi-Sponsored by -- M. of A. WALKER -- read once and referred to the Committee on Health -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the public health law, in relation to disposal sites operated by pharmacies

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

Section 1. Subdivision 3 of section 3343-b of the public health law, as amended by chapter 379 of the laws of 2015, is amended and a new subdivision 4 is added to read as follows:

3. Disposal sites shall be operated by law enforcement agencies, pharmacies THAT DO NOT MEET THE DEFINITION OF "CHAIN PHARMACY" AS DEFINED IN SUBDIVISION FOUR OF THIS SECTION, and other Federal Drug Enforcement Administration authorized collectors on a voluntary basis. Nothing in this section shall require any political subdivision of the state to participate in the program established in this section.

4. FOR THE PURPOSES OF THIS SECTION, "CHAIN PHARMACY" SHALL MEAN ANY PHARMACY THAT IS PART OF A GROUP OF FOUR OR MORE ESTABLISHMENTS THAT: (A) CONDUCT BUSINESS UNDER THE SAME BUSINESS NAME, OR (B) OPERATE UNDER COMMON OWNERSHIP OR MANAGEMENT OR PURSUANT TO A FRANCHISE AGREEMENT WITH THE SAME FRANCHISOR. THE COMMISSIONER SHALL REQUIRE ANY CHAIN PHARMACY OPERATING IN THE STATE TO OPERATE A SAFE DISPOSAL SITE FOR UNUSED CONTROLLED SUBSTANCES IN ACCORDANCE WITH THIS SECTION AND FEDERAL LAW AND REGULATIONS.

S 2. This act shall take effect six months after it shall have become law.

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

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