

2661--A

2015-2016 Regular Sessions

I N   S E N A T E

January 27, 2015

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Introduced by Sen. HANNON -- read twice and ordered printed, and when printed to be committed 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 delivery of prescriptions off premises of a pharmacy

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

1     Section 1. The second undesignated paragraph of paragraph (a) of  
2     subdivision 2 of section 6810 of the education law, as added by chapter  
3     413 of the laws of 2014, is amended to read as follows:  
4     A pharmacy registered with the department pursuant to section sixty-  
5     eight hundred eight OR SIXTY-EIGHT HUNDRED EIGHT-B of this article may  
6     not deliver a new or refilled prescription off premises without the  
7     consent of the patient or an individual authorized to consent on the  
8     patient's behalf. [Consent shall include one of the following:  
9     (1) the patient or authorized individual's signature of acceptance of  
10    each prescription delivered;  
11    (2) the pharmacy may contact the patient or other authorized individ-  
12    ual for consent to deliver and must document consent in the patient  
13    record; or  
14    (3) for pharmacies that administer refill reminder or medication  
15    adherence programs and deliver off premises, if a signature is not  
16    received on each prescription, then the refill reminder program or medi-  
17    cation adherence program shall be an OPT-IN program that is updated with  
18    patient consent every one hundred eighty days accompanied by a docu-  
19    mented patient record review by a licensed pharmacist from the providing  
20    pharmacy and the patient before continuation of medication delivery can  
21    occur] FOR THE PURPOSES OF THIS SECTION, CONSENT MAY BE OBTAINED IN THE  
22    SAME MANNER AND PROCESS BY WHICH CONSENT IS DEEMED ACCEPTABLE UNDER THE  
23    FEDERAL MEDICARE PART D PROGRAM.  
24    S 2. This act shall take effect immediately and shall be deemed to  
25    have been in full force and effect on and after October 21, 2014.

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

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