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

2661--A

2015-2016 Regular Sessions

I N S E N A T E

January 27, 2015

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:

Section 1. The second undesignated paragraph of paragraph (a) of subdivision 2 of section 6810 of the education law, as added by chapter 413 of the laws of 2014, is amended to read as follows:

A pharmacy registered with the department pursuant to section sixty-eight hundred eight OR SIXTY-EIGHT HUNDRED EIGHT-B of this article may not deliver a new or refilled prescription off premises without the consent of the patient or an individual authorized to consent on the patient's behalf. [Consent shall include one of the following:

(1) the patient or authorized individual's signature of acceptance of each prescription delivered;

(2) the pharmacy may contact the patient or other authorized individual for consent to deliver and must document consent in the patient record; or

(3) for pharmacies that administer refill reminder or medication adherence programs and deliver off premises, if a signature is not received on each prescription, then the refill reminder program or medication adherence program shall be an OPT-IN program that is updated with patient consent every one hundred eighty days accompanied by a documented patient record review by a licensed pharmacist from the providing pharmacy and the patient before continuation of medication delivery can occur] FOR THE PURPOSES OF THIS SECTION, CONSENT MAY BE OBTAINED IN THE SAME MANNER AND PROCESS BY WHICH CONSENT IS DEEMED ACCEPTABLE UNDER THE FEDERAL MEDICARE PART D PROGRAM.

S 2. This act shall take effect immediately and shall be deemed to 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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