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I N S E N A T E

June 10, 2016

Introduced by Sens. LANZA, GOLDEN -- read twice and ordered printed, and
when printed to be committed to the Committee on Rules

AN ACT to amend the mental hygiene law, in relation to the distribution
of educational materials regarding the misuse of and addiction to
prescription drugs

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

1 Section 1. Section 19.09 of the mental hygiene law is amended by
2 adding a new subdivision (j) to read as follows:
3 (J) (1) THE COMMISSIONER, IN CONSULTATION WITH THE COMMISSIONER OF
4 HEALTH, SHALL CREATE OR UTILIZE EXISTING EDUCATIONAL MATERIALS WHICH
5 SHALL INCLUDE INFORMATION REGARDING THE DANGERS OF MISUSE AND THE POTEN-
6 TIAL FOR ADDICTION TO PRESCRIPTION DRUGS, TREATMENT RESOURCES AVAILABLE,
7 AND THE PROPER WAY TO DISPOSE OF UNUSED PRESCRIPTION DRUGS. SUCH MATE-
8 RIALS SHALL BE MADE AVAILABLE TO PHARMACISTS AND MAY BE DISTRIBUTED WITH
9 ANY PRESCRIBED DRUG THAT IS A CONTROLLED SUBSTANCE BY A PHARMACIST
10 LICENSED BY THE STATE TO DISPENSE PRESCRIPTION DRUGS TO THE PUBLIC
11 PURSUANT TO SECTION SIXTY-EIGHT HUNDRED FIVE OF THE EDUCATION LAW. THE
12 INFORMATION CONTAINED IN SUCH MATERIALS SHALL ALSO BE POSTED ON THE
13 WEBSITE OF THE OFFICE AND THE DEPARTMENT OF HEALTH. SUCH MATERIALS SHALL
14 BE PROVIDED IN LANGUAGES OTHER THAN ENGLISH AS DEEMED APPROPRIATE BY THE
15 COMMISSIONERS.
16 (2) UTILIZING DATA THAT IS AVAILABLE TO THE OFFICE, INCLUDING, BUT NOT
17 LIMITED TO, INFORMATION OBTAINED PURSUANT TO SUBDIVISION FOUR OF SECTION
18 THIRTY-THREE HUNDRED NINE-A OF THE PUBLIC HEALTH LAW, THE COMMISSIONER
19 SHALL IDENTIFY THE COUNTIES IN NEW YORK STATE WHERE PRESCRIPTION OPIOID
20 ABUSE IS MOST PREVALENT. PHARMACISTS LICENSED BY THE STATE TO DISPENSE
21 PRESCRIPTION DRUGS MAY BE NOTIFIED AT THE DISCRETION OF THE COMMISSIONER
22 IN COLLABORATION WITH THE DEPARTMENT OF HEALTH, ABOUT THE PREVALENCE OF
23 OPIOID ABUSE IN THE COUNTY IN WHICH SUCH PHARMACISTS ARE LOCATED AND
24 ENCOURAGE THE FACILITIES WHERE PRESCRIPTION DRUGS ARE DISPENSED TO
25 DISTRIBUTE MATERIALS CREATED OR UTILIZED PURSUANT TO PARAGRAPH ONE OF
26 THIS SUBDIVISION.
27 S 2. This act shall take effect on the sixtieth day after it shall
28 have become a law.

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

LBD05258-01-5