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

8189

I N S E N A T E

September 2, 2016

Introduced by Sen. HANNON -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the education law, in relation to the substitution of brand name epinephrine autoinjectors with generic epinephrine autoinjectors for dispensation by pharmacists

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

Section 1. Section 6816-a of the education law is amended by adding a new subdivision 3 to read as follows:

3. (A) NOTWITHSTANDING SUBDIVISION TWO OF THIS SECTION OR ANY OTHER SECTION OF LAW TO THE CONTRARY, WHEN A PATIENT IS PRESCRIBED A BRAND NAME EPINEPHRINE AUTOINJECTOR, A PHARMACIST MAY SUBSTITUTE A GENERIC EPINEPHRINE AUTOINJECTOR CONTAINING THE SAME ACTIVE INGREDIENTS, DOSAGE FORM AND STRENGTH AS THE BRAND NAME PRODUCT PRESCRIBED, ORDERED OR DEMANDED, PROVIDED THAT THE PRESCRIBER DOES NOT PROHIBIT SUBSTITUTION.

(B) FOR PURPOSES OF THIS SUBDIVISION "EPINEPHRINE AUTOINJECTOR" MEANS A MEDICAL DEVICE FOR INJECTING A MEASURED DOSE OR DOSES OF EPINEPHRINE (ADRENALINE) BY MEANS OF AUTOINJECTOR TECHNOLOGY.

S 2. This act shall take effect immediately.

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

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