STATE OF NEW YORK

8681

2017-2018 Regular Sessions

IN ASSEMBLY

September 25, 2017

Introduced by M. of A. ROSENTHAL -- read once and referred to the Committee on Higher Education

AN ACT to amend the public health law, in relation to the prohibition of the dispensing of schedule II substances through a drive-through area

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 3333 of the public health law is amended by adding a new subdivision 6 to read as follows:

6. (a) No licensed, registered pharmacist, or a pharmacy intern acting in conformity with the provisions of section sixty-eight hundred six of the education law and regulations thereunder in a registered pharmacy may dispense a controlled substance listed in schedule II of section thirty-three hundred six of this article through a drive-through area of such pharmacy. Such prescriptions must be dispensed to a person physically present inside a pharmacy.

(b) For purposes of this subdivision "drive-through" means an area of a licensed pharmacy where a prescription may be dispensed to a person occupying a motor vehicle.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law; provided however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized and directed to be made and completed on or before such effective date.

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

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