STATE OF NEW YORK

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7563

IN SENATE

January 25, 2018
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Introduced by Sen. SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to authorization to prescribe controlled substances

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

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 1    Section 1. Subdivision 12 of section 3360 of the public health law, as
 2  added by chapter 90 of the laws of 2014, is amended to read as follows:
 3    12. "Practitioner" means a practitioner who (i) is [a  physician]
 4  authorized by this article to prescribe a controlled substance, is
 5  licensed [by New York state and practicing within the state] or other-
 6  wise  authorized to practice under title eight of the education law, and
 7  is acting within his or her lawful scope of practice, (ii) [who] by
 8  training or experience is qualified to treat a serious condition as
 9  defined in subdivision seven of this section; and (iii) has completed  a
10  two  to four hour course as determined by the commissioner in regulation
11  and registered with the department;  provided  however,  a  registration
12  shall  not  be  denied without cause. Such course may count toward board
13  certification requirements. [The commissioner shall consider the  inclu-
14  sion  of  nurse practitioners under this title based upon considerations
15  including access and availability. After such consideration the  commis-
16  sioner  is authorized to deem nurse practitioners as practitioners under
17  this title.]
18    § 2. This act shall take effect on the sixtieth  day  after  it  shall
19  have become a law; provided that, effective immediately, the commission-
20  er  of  health  shall make regulations and take other actions reasonably
21  necessary for this act to take effect on that date; and provided further
22  that the amendments to subdivision 12 of  section  3360  of  the  public
23  health  law  made by section one of this act shall not affect the repeal
24  of such section and shall be deemed repealed therewith.
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EXPLANATION--Matter in _italics_ (underscored) is new; matter in brackets [-] is old law to be omitted.