# STATE OF NEW YORK

8314

# IN SENATE

April 30, 2018

Introduced by Sen. ROBACH -- 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 expanding pharmacists' authority to dispense epinephrine auto-injectors

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

Section 1. Paragraph (a) of subdivision 1 of section 3000-c of the public health law, as amended by chapter 200 of the laws of 2017, is amended to read as follows:

(a) "Eligible person or entity" means (i) an ambulance service or advanced life support first response service; a certified first responder, emergency medical technician, or advanced emergency medical technician, who is employed by or an enrolled member of any such service; (ii) a children's overnight camp as defined in subdivision one of section thirteen hundred ninety-two of this chapter, a summer day camp as defined in subdivision two of section thirteen hundred ninety-two of this chapter, a traveling summer day camp as defined in subdivision three of section thirteen hundred ninety-two of this chapter or a person employed by such a camp; (iii) a school district, board of cooperative educational services, county vocational education and extension board, charter school, and non-public elementary and secondary school in this state or any person employed by any such entity, or employed by a contractor of such an entity while performing services for the entity; or (iv) a sports, entertainment, amusement, education, government, day care or retail facility; an educational institution, youth organization or sports league; an establishment that serves food; or a person employed by such entity; and (v) **any other entity that may be a venue in which an allergic reaction may occur, or** any other person or entity designated or approved, or in a category designated or approved pursuant to regulations of the commissioner in consultation with other appropriate agencies.

§ 2. Paragraph (b) of subdivision 3 of section 3000-c of the public health law, as added by chapter 373 of the laws of 2016, is amended to read as follows:

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

LBD15605-01-8

(b) A pharmacist may dispense **or distribute, directly or indirectly,** an epinephrine auto-injector pursuant to a **patient-specific or** non-patient-specific prescription under this subdivision**, to or for an eligible person or entity**.

§ 3. This act shall take effect immediately.