AN ACT to amend the public health law, in relation to allowing prescriptions for controlled substances that are normally restricted to a thirty-day supply, to be issued for greater than a thirty-day supply during the COVID-19 state of emergency.

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

Section 1. Section 3332 of the public health law is amended by adding a new subdivision 3-a to read as follows:

3-a. (a) Notwithstanding any provision of law, rule, or regulation to the contrary, the provisions of subdivision three of this section shall not apply during the COVID-19 emergency declaration.

(b) Notwithstanding any provision of law, rule, or regulation to the contrary, a practitioner may, in his or her discretion, issue a prescription in accordance with the provisions of subdivision two of this section for a quantity of a controlled substance which would exceed a thirty-day supply if such controlled substance were used in accordance with the directions for use specified on such prescription.

(c) For the purposes of this subdivision, the term "COVID-19 emergency declaration" shall mean the state disaster emergency declared for the entire state by executive order number two hundred two and any further amendments or modifications, and as may be further extended pursuant to section twenty-eight of the executive law.

§ 2. This act shall take effect immediately, provided, however, that this act shall be subject to the expiration of the state disaster emergency declared for the entire state by executive order number 202 and any further amendments or modifications, and as may be further extended pursuant to section 28 of the executive law, and shall be deemed to expire and repealed therewith; provided, further, that the commissioner of health shall notify the legislative bill drafting commission upon the occurrence of the expiration of the state disaster emergency declared for the entire state by executive order number 202 and any further amendments or modifications, and as may be further extended pursuant to section twenty-eight of the executive law.

EXPLANATION—Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.
section 28 of the executive law, in order that the commission may main-
tain an accurate and timely effective data base of the official text of
the laws of the state of New York in furtherance of effectuating the
provisions of section 44 of the legislative law and section 70-b of the
public officers law.