

# STATE OF NEW YORK

11071

## IN ASSEMBLY

October 7, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Joyner) --  
read once and referred to the Committee on Higher Education

AN ACT to amend the public health law, in relation to the dispensing of  
glucagon

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

1 Section 1. The public health law is amended by adding a new section  
2 279-a to read as follows:

3 § 279-a. Dispensing of glucagon. Notwithstanding any other provisions  
4 of law to the contrary, a pharmacist may dispense any Food and Drug  
5 Administration approved glucagon medication to an insulin using person  
6 regardless if the person currently has or previously has had a  
7 prescription for glucagon.

8 1. (a) A health care professional may prescribe by a patient-specific  
9 or non-patient-specific prescription, dispense or distribute, directly  
10 or indirectly, an order of glucagon to a glucagon recipient;

11 (b) A pharmacist may dispense an order of glucagon, through a  
12 patient-specific or non-patient-specific prescription pursuant to this  
13 section, to a glucagon recipient;

14 (c) The provisions of this section shall not be deemed to require a  
15 prescription for any order of glucagon that does not otherwise require a  
16 prescription; nor shall it be deemed to limit the authority of a health  
17 care professional to prescribe, dispense or distribute, or of a pharma-  
18 cist to dispense, an order of glucagon under any other provision of law,  
19 provided that:

20 (i) any dispensing of glucagon under this section shall be done only  
21 in accordance with a physician-approved protocol and shall specify the  
22 minimum required components of any such protocol;

23 (ii) the person to whom glucagon is dispensed shall be educated by the  
24 pharmacist as to the mechanism and circumstances for the administration  
25 of glucagon; and

26 (iii) a record of the dispensing of glucagon shall be made available  
27 to the patient's physician and to the physician signing a protocol under  
28 this subdivision, if required by the physician or physicians.

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

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1 2. Reimbursement is the responsibility of the person obtaining the  
2 glucagon consistent with the requirements of his or her health insur-  
3 ance. The pharmacist shall counsel an uninsured person on any existing  
4 programs that aid in access to glucagon.

5 § 2. This act shall take effect immediately.