

# STATE OF NEW YORK

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3823--A

2019-2020 Regular Sessions

## IN ASSEMBLY

January 31, 2019

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Introduced by M. of A. McDONALD, D'URSO, ENGLEBRIGHT, RIVERA, TAYLOR, SEAWRIGHT, McDONOUGH, MORINELLO, LAWRENCE, MONTESANO, BLANKENBUSH, BRAUNSTEIN, WILLIAMS, ARROYO, GOTTFRIED, JAFFEE, BLAKE, SAYEGH, ASHBY, BYRNES, GRIFFIN -- Multi-Sponsored by -- M. of A. GIGLIO, SIMON, TAGUE -- read once and referred to the Committee on Health -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to adding gabapentin to the prescription monitoring program

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

1 Section 1. Paragraphs (a) and (b) of subdivision 1 of section 3343-a  
2 of the public health law, as added by section 2 of part A of chapter 447  
3 of the laws of 2012, are amended to read as follows:

4 (a) The commissioner shall, in accordance with the provisions of this  
5 section, establish and maintain an electronic system for collecting,  
6 monitoring and reporting information concerning the prescribing and  
7 dispensing of controlled substances and gabapentin, to be known as the  
8 prescription monitoring program registry. The registry shall include  
9 information reported by pharmacies on a real time basis, as set forth in  
10 subdivision four of section thirty-three hundred thirty-three of this  
11 article.

12 (b) The registry shall include, for each person to whom a prescription  
13 for controlled substances and gabapentin has been dispensed, all  
14 patient-specific information covering such period of time as is deemed  
15 appropriate and feasible by the commissioner, but no less than six  
16 months and no more than five years. Such patient-specific information  
17 shall be obtained from the prescription information reported by pharma-  
18 cies pursuant to subdivision four of section thirty-three hundred thir-  
19 ty-three of this article and by practitioners who dispense pursuant to

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

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1 subdivision six of section thirty-three hundred thirty-one of this arti-  
2 cle, and shall be processed and included in the registry by the depart-  
3 ment without undue delay. For purposes of this article, "patient-specif-  
4 ic information" means information pertaining to individual patients  
5 included in the registry, which shall include the following information  
6 and such other information as is required by the department in regu-  
7 lation:

- 8 (i) the patient's name;
- 9 (ii) the patient's residential address;
- 10 (iii) the patient's date of birth;
- 11 (iv) the patient's gender;
- 12 (v) the date on which the prescription was issued;
- 13 (vi) the date on which the controlled substance or gabapentin was  
14 dispensed;
- 15 (vii) the metric quantity of the controlled substance or gabapentin  
16 dispensed;
- 17 (viii) the number of days supply of the controlled substance or gaba-  
18 pentin dispensed;
- 19 (ix) the name of the prescriber;
- 20 (x) the prescriber's identification number, as assigned by the drug  
21 enforcement administration;
- 22 (xi) the name or identifier of the drug that was dispensed; and
- 23 (xii) the payment method.

24 § 2. This act shall take effect on the first of January next succeed-  
25 ing the date upon which it shall have become a law. Effective immediate-  
26 ly the addition, amendment and/or repeal of any rule or regulation  
27 necessary for the implementation of this act on its effective date are  
28 authorized to be made and completed on or before such date.