

# STATE OF NEW YORK

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4781--B

2019-2020 Regular Sessions

## IN ASSEMBLY

February 5, 2019

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Introduced by M. of A. D. ROSENTHAL -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to requiring pharmacies to make reasonable attempts to notify patients of certain drug recalls

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

1 Section 1. The education law is amended by adding a new section 6811-c  
2 to read as follows:

3 § 6811-c. Patient notification of recalled drugs. 1. For purposes of  
4 this section the term "class I recall" shall mean a situation in which  
5 the United States food and drug administration deems there is reasonable  
6 probability that the use of or exposure to a violative product will  
7 cause serious adverse health consequences or death.

8 2. Where there has been a class I recall of a prescription drug, phar-  
9 macies shall make a reasonable attempt to notify all patients that have  
10 been prescribed and who are currently taking such recalled drug  
11 dispensed from such pharmacy by phone or by mail within three days of  
12 the pharmacy being notified by the United States food and drug adminis-  
13 tration, a manufacturer, a wholesaler or by other notice of such recall.

14 3. The notification required by this section may be provided by an  
15 individual pharmacy or by a central office in the case of a pharmacy  
16 that is part of a chain.

17 § 2. This act shall take effect immediately.

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

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