# STATE OF NEW YORK

3823--A

2019-2020 Regular Sessions

# IN ASSEMBLY

January 31, 2019

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:**

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

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

(b) The registry shall include, for each person to whom a prescription for controlled substances **and gabapentin** has been dispensed, all patient-specific information covering such period of time as is deemed appropriate and feasible by the commissioner, but no less than six months and no more than five years. Such patient-specific information shall be obtained from the prescription information reported by pharmacies pursuant to subdivision four of section thirty-three hundred thirty-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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subdivision six of section thirty-three hundred thirty-one of this article, and shall be processed and included in the registry by the department without undue delay. For purposes of this article, "patient-specific information" means information pertaining to individual patients included in the registry, which shall include the following information and such other information as is required by the department in regulation:

(i) the patient's name;

(ii) the patient's residential address;

(iii) the patient's date of birth;

(iv) the patient's gender;

(v) the date on which the prescription was issued;

(vi) the date on which the controlled substance **or gabapentin** was dispensed;

(vii) the metric quantity of the controlled substance **or gabapentin** dispensed;

(viii) the number of days supply of the controlled substance **or gabapentin** dispensed;

(ix) the name of the prescriber;

(x) the prescriber's identification number, as assigned by the drug enforcement administration;

(xi) the name or identifier of the drug that was dispensed; and

(xii) the payment method.

§ 2. This act shall take effect on the first of January next succeeding the date upon which it shall have become a law. Effective immediately the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such date.