

STATE OF NEW YORK

5867

2019-2020 Regular Sessions

IN SENATE

May 15, 2019

Introduced by Sens. RIVERA, HARCKHAM -- read twice and ordered printed,
and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to treatment alternatives for pain causing conditions

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

1 Section 1. Section 3331 of the public health law is amended by adding
2 a new subdivision 9 to read as follows:

3 9. (a) When a patient seeks treatment for any neuromusculoskeletal
4 condition that causes pain, a practitioner shall refer, discuss and/or
5 prescribe any of the following nonpharmacological treatment alterna-
6 tives, based on the practitioner's clinical judgment and following
7 generally accepted national professional or treatment guidelines, before
8 starting a patient on an opioid: acupuncture, chiropractic, massage
9 therapy, physical therapy or occupational therapy.

10 (b) This subdivision shall not apply to the use of opioids for
11 patients being treated under any of the following circumstances: treat-
12 ment of cancer; hospice care; medical treatment in a long-term care
13 facility; post-surgery treatment immediately following a surgical proce-
14 dure; or in a medical emergency situation. For purposes of this article,
15 a "medical emergency situation" shall mean an acute injury or illness
16 that poses an immediate risk to a person's life or long-term health.

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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