

# STATE OF NEW YORK

8566

## IN SENATE

June 16, 2020

Introduced by Sen. ADDABBO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the education law, in relation to the refilling of prescriptions as an emergency prescription

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

1 Section 1. Section 6810 of the education law is amended by adding a  
2 new subdivision 16 to read as follows:

3 16. Notwithstanding any other provision of law, a pharmacist may  
4 refill a prescription as an emergency prescription, when:

5 (a) the pharmacist first attempts to obtain an authorization from the  
6 authorized prescriber and cannot obtain the authorization;

7 (b) the drug which is the subject of the refill is not a controlled  
8 substance;

9 (c) the drug which is the subject of the refill is essential to the  
10 maintenance of life;

11 (d) the drug which is the subject of the refill is essential to the  
12 continuation of therapy in chronic conditions, and, in the pharmacist's  
13 professional judgment, the interruption of the therapy reasonably might  
14 produce an undesirable health consequence, be detrimental to the  
15 patient's welfare or cause physical or mental discomfort;

16 (e) the pharmacist enters on the back of the prescription or on another  
17 appropriate, uniformly maintained and readily retrievable record, the  
18 date and quantity of the refill, and, in addition, the pharmacist signs  
19 the refill;

20 (f) the pharmacist provides only one refill of the prescription and  
21 the quantity of that refill is in conformity with the prescribed  
22 directions for use, but limited to a seventy-two hour emergency supply,  
23 provided that if the prescription is not dispensed or sold in a seven-  
24 ty-two hour supply, an amount not to exceed a thirty-day emergency  
25 supply may be dispensed or sold; and

26 (g) within seventy-two hours of dispensing the refill, the pharmacist  
27 notifies the prescriber that an emergency prescription has been  
28 dispensed.

29 § 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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