

STATE OF NEW YORK

336

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. BRAUNSTEIN, DINOWITZ, OTIS, CYMBROWITZ, AUBRY,
L. ROSENTHAL, FERNANDEZ, STERN, HEVESI, HUNTER, JOYNER, PERRY, RAMOS
-- Multi-Sponsored by -- M. of A. McDONOUGH -- read once and referred
to the Committee on Health

AN ACT to amend the public health law, in relation to prescribing an
opioid antagonist with a patient's first opioid prescription in a
given year

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

1 Section 1. Section 3309 of the public health law is amended by adding
2 a new subdivision 7 to read as follows:

3 7. With the first prescription to a particular patient of an opioid of
4 each year for use in a setting other than a general hospital or nursing
5 home under article twenty-eight of this chapter or facility under arti-
6 cle thirty-one of the mental hygiene law, or when a practitioner is
7 prescribing a controlled substance to a patient under the care of
8 hospice as defined by section four thousand two of this chapter, the
9 prescriber shall prescribe an opioid antagonist when any of the follow-
10 ing risk factors are present: (a) a history of substance use disorder;
11 (b) high dose or cumulative prescriptions that result in over fifty
12 morphine milligram equivalents per day; (c) concurrent use of opioids
13 and benzodiazepine or nonbenzodiazepine sedative hypnotics.

14 § 2. This act shall take effect on the one hundred eightieth day after
15 it shall have become a law. Effective immediately, the addition, amend-
16 ment and/or repeal of any rule or regulation necessary for the implemen-
17 tation of this act on its effective date are authorized to be made and
18 completed by the commissioner of health on or before such effective
19 date.

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

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