

# STATE OF NEW YORK

336--A

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, STECK, BARRON, McDONALD -- Multi-Sponsored by -- M. of A. McDONOUGH -- read once and referred to the Committee on Health -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 Assembly, 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 ninety morphine  
12 milligram equivalents or higher 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.

LBD03417-04-1