

STATE OF NEW YORK

337

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. BRAUNSTEIN -- read once and referred to the
Committee on Health

AN ACT to amend the public health law, in relation to opioid analgesic
prescriptions

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

1 Section 1. The public health law is amended by adding a new section
2 3309-b to read as follows:

3 § 3309-b. Opioid analgesic prescription. 1. With the first
4 prescription to a particular patient of an opioid of each year for use
5 in a setting other than a general hospital or nursing home under article
6 twenty-eight of this chapter or facility under article thirty-one of the
7 mental hygiene law, or when a practitioner is prescribing a controlled
8 substance to a patient under the care of hospice as defined by section
9 four thousand two of this chapter, the prescribing physician shall coun-
10 sel the patient on the risks of overdose, and inform the patient of the
11 availability of an opioid antagonist, including, but not limited to,
12 naloxone.

13 2. For the purposes of this section, the following terms shall have
14 the following meanings:

15 (a) "Opioid analgesics" means the medicines buprenorphine, butorpha-
16 nal, codeine, hydrocodone, hydromorphone, levorphanol, meperidine,
17 methadone, morphine, nalbuphine, oxycodone, oxymorphone, pentazocine,
18 propoxyphene as well as their brand names, isomers and combinations.

19 (b) "Opioid antagonist" means an FDA-approved drug that, when adminis-
20 tered, negates or neutralizes in whole or in part the pharmacological
21 effects of an opioid in the body. The opioid antagonist is limited to
22 naloxone or other medications approved by the department for this
23 purpose.

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

LBD00932-02-1

1 § 2. This act shall take effect on the one hundred twentieth day after
2 it shall have become a law. Effective immediately, the addition, amend-
3 ment and/or repeal of any rule or regulation necessary for the implemen-
4 tation of this act on its effective date are authorized to be made and
5 completed on or before such effective date.