

# STATE OF NEW YORK

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1934

2021-2022 Regular Sessions

## IN SENATE

January 16, 2021

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Introduced by Sens. AKSHAR, HELMING -- 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 patient counseling  
before issuing a prescription for a schedule II opioid

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

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

3 2-a. Prior to issuing a prescription for a schedule II opioid, a prac-  
4 titioner shall:

5 (a) consult with the patient regarding the quantity of the opioid and  
6 the patient's option to fill the prescription in a lesser quantity;

7 (b) inform the patient of the risks associated with opiate addiction;  
8 and

9 (c) document the reason for the opioid prescription in the patient's  
10 medical record.

11 § 2. This act shall take effect on the ninetieth day after it shall  
12 have become a law. Effective immediately, the addition, amendment  
13 and/or repeal of any rule or regulation necessary for the implementation  
14 of this act on its effective date are authorized and directed to be made  
15 and completed on or before such effective date.

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

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