STATE OF NEW YORK

5722

2021-2022 Regular Sessions

IN SENATE

March 17, 2021

Introduced by Sen. THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT in relation to restricting certain practices from remote supervision by licensed pharmacists; and providing for the repeal of such provisions upon the expiration thereof

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

Section 1. Notwithstanding the provisions of executive order number 202.11 or any subsequent executive order suspending sections 6802, 6808, and 6841 of the education law, paragraph 10 of subdivision (a) of part 29.7 and part 63.6 of title 8 of the New York code, rules and regulations to the extent necessary to permit pharmacy technicians and pharmacists to practice at an alternate location for the duration of the COVID-19 state disaster emergency, no prescription shall be dispensed unless a licensed pharmacist has first verified in person:

a. that the package to be handed or delivered to the patient or person authorized to act on behalf of the patient in fact contains the drug to be dispensed by the prescription;

b. whether or not the drug to be dispensed is packaged in a child-resistant container;

c. if a stock container is to be dispensed, whether such container is open; and

d. the quantity of the dosage units of the drug to be dispensed.

§ 2. This act shall take effect immediately and shall expire and be deemed repealed on the same date and in the same manner as the state disaster emergency declared pursuant to executive order 202 of 2020 terminates; provided that the commissioner of health shall notify the legislative bill drafting commission upon the termination of the state disaster emergency declared pursuant to executive order 202 of 2020 in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.

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

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