

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:

1 Section 1. Notwithstanding the provisions of executive order number
2 202.11 or any subsequent executive order suspending sections 6802, 6808,
3 and 6841 of the education law, paragraph 10 of subdivision (a) of part
4 29.7 and part 63.6 of title 8 of the New York code, rules and regu-
5 lations to the extent necessary to permit pharmacy technicians and phar-
6 macists to practice at an alternate location for the duration of the
7 COVID-19 state disaster emergency, no prescription shall be dispensed
8 unless a licensed pharmacist has first verified in person:
9 a. that the package to be handed or delivered to the patient or
10 person authorized to act on behalf of the patient in fact contains the
11 drug to be dispensed by the prescription;
12 b. whether or not the drug to be dispensed is packaged in a child-re-
13 sistant container;
14 c. if a stock container is to be dispensed, whether such container is
15 open; and
16 d. the quantity of the dosage units of the drug to be dispensed.
17 § 2. This act shall take effect immediately and shall expire and be
18 deemed repealed on the same date and in the same manner as the state
19 disaster emergency declared pursuant to executive order 202 of 2020
20 terminates; provided that the commissioner of health shall notify the
21 legislative bill drafting commission upon the termination of the state
22 disaster emergency declared pursuant to executive order 202 of 2020 in
23 order that the commission may maintain an accurate and timely effective
24 data base of the official text of the laws of the state of New York in
25 furtherance of effectuating the provisions of section 44 of the legisla-
26 tive 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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