STATE OF NEW YORK

7378--A

2021-2022 Regular Sessions

IN SENATE

September 15, 2021

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Budget and Revenue in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the tax law, in relation to requiring the department of health to publish certain reports on department's website detailing sales of opioids sold in the state

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

Section 1. Short title. This act shall be known and may be cited as the "registered opioid sales for transparency and epidemic recovery (ROSTER) act".

§ 2. Subdivision (g) of section 498 of the tax law, as added by section 1 of part XX of chapter 59 of the laws of 2019, is amended to read as follows:

(g) Each registrant shall provide a report to the department of health detailing all opioids sold by such registrant in the state of New York. Such report shall include:

(i) the registrant's name, address, phone number, federal Drug Enforcement Agency (DEA) registration number, education department registration number, and controlled substance license number issued by the department of health, if applicable;

(ii) the name, address and DEA registration number of the entity to whom the opioid was sold;

(iii) the date of the sale of the opioid;

(iv) the gross receipt total, in dollars, for each opioid sold;

(v) the name and National Drug Code of the opioid sold;

(vi) the number of containers and the strength and metric quantity of controlled substance in each container of the opioid sold;

(vii) the total number of morphine milligram equivalents sold; and

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

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(viii) any other elements as deemed necessary by the commissioner of health.

Such information shall be reported **and published** annually in such form as defined by the commissioner of health and shall not be subject to the provisions of section four hundred ninety-nine of this article**, with the exception of paragraph (ii) of this subdivision. The information collected in such report shall be made available to the public in machine-readable formats and such report shall be made publicly available on the department of health's website**.

§ 3. Within ninety days of the effective date of this act, the department of health shall compile and publish on its website all reports submitted to the department detailing all opioids sold by a registrant in the state of New York pursuant to subdivision (g) of section 498 of the tax law, including the initial report with transaction information from July 1, 2019 through December 31, 2019 and each annual report thereafter.

§ 4. This act shall take effect immediately.