STATE OF NEW YORK

3221

2021-2022 Regular Sessions

IN ASSEMBLY

January 22, 2021

Introduced by M. of A. McDONALD, MONTESANO, FRIEND, JONES, BARRON, LUPARDO, WALLACE, SEAWRIGHT, SANTABARBARA, STECK, GALEF, FAHY, CAHILL, BLANKENBUSH -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to limiting the initial prescription of a controlled substance for the alleviation of acute pain to a seven-day supply for users twenty years of age or older and to a three-day supply for users nineteen years of age or younger

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

Section 1. Paragraph (b) of subdivision 5 of section 3331 of the public health law, as added by section 1 of part C of chapter 71 of the laws of 2016, is amended to read as follows:

(b) Notwithstanding the provisions of paragraph (a) of this subdivision, a practitioner, within the scope of his or her professional opinion or discretion, may not prescribe more than a seven-day supply of any schedule II, III, or IV opioid to an ultimate user **who is twenty years of age or older, or more than a three-day supply of any schedule II, III, or IV opioid to an ultimate user who is nineteen years of age or younger** upon the initial consultation or treatment of such user for acute pain. Upon any subsequent consultations for the same pain, the practitioner may issue, in accordance with paragraph (a) of this subdivision, any appropriate renewal, refill, or new prescription for the opioid or any other drug.

§ 2. This act shall take effect immediately.

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

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