STATE OF NEW YORK

336--A

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. BRAUNSTEIN, DINOWITZ, OTIS, CYMBROWITZ, AUBRY, L. ROSENTHAL, FERNANDEZ, STERN, HEVESI, HUNTER, JOYNER, PERRY, RAMOS, STECK, BARRON, McDONALD -- Multi-Sponsored by -- M. of A. McDONOUGH -- read once and referred to the Committee on Health -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to prescribing an opioid antagonist with a patient's first opioid prescription in a given year

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

Section 1. Section 3309 of the public health law is amended by adding a new subdivision 7 to read as follows:

7. With the first prescription to a particular patient of an opioid of each year for use in a setting other than a general hospital or nursing home under article twenty-eight of this chapter or facility under article thirty-one of the mental hygiene law, or when a practitioner is prescribing a controlled substance to a patient under the care of hospice as defined by section four thousand two of this chapter, the prescriber shall prescribe an opioid antagonist when any of the following risk factors are present: (a) a history of substance use disorder; (b) high dose or cumulative prescriptions that result in ninety morphine milligram equivalents or higher per day; (c) concurrent use of opioids and benzodiazepine or nonbenzodiazepine sedative hypnotics.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed by the commissioner of health 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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