

# STATE OF NEW YORK

606

2021-2022 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the  
Committee on Health

AN ACT to direct the department of health, in cooperation with various  
state offices and agencies to study, evaluate, and make recommenda-  
tions concerning the prescribing and treatment history of persons in  
this state who suffered fatal and nonfatal opiate overdoses

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

- 1 Section 1. Study of the prescribing and treatment history of persons  
2 in this state who suffered fatal and nonfatal opiate overdoses. 1. Defi-  
3 nitions. For the purposes of this section:  
4 a. "Multiple provider episodes" shall mean a single patient having  
5 access to opiate prescriptions from more than one provider.  
6 b. "Poly-substance access" shall mean a patient having simultaneous  
7 prescriptions for an opiate and a benzodiazepine or for an opiate and  
8 another drug which may enhance the effects or the risks of drug abuse or  
9 overdose.  
10 c. "Provider" shall include any individual practicing medicine as  
11 defined in section 6521 of the education law.  
12 2. Study. The department of health, in cooperation with the department  
13 of corrections and community supervision, the office of addiction  
14 services and supports, and the office of mental health, shall conduct a  
15 study of the prescribing and treatment history, including court-ordered  
16 treatment or treatment within the criminal justice system, of persons in  
17 this state who suffered fatal or nonfatal opiate overdoses beginning in  
18 the calendar years 2011 to 2020 and yearly thereafter. Such study shall,  
19 with regard to such persons, conduct or provide for an examination of:  
20 a. instances of multiple provider episodes;  
21 b. instances of poly-substance access;

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

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1 c. the overall opiate prescription history of individuals, including  
2 whether such individuals had access to legal prescriptions for opiate  
3 drugs at the time of their overdoses;

4 d. whether individuals had previously undergone voluntary or involun-  
5 tary treatment for substance addiction or behavioral health;

6 e. whether individuals had attempted to enter but were denied access  
7 to treatment for substance addiction or behavioral health;

8 f. whether individuals had received past treatment for a substance  
9 overdose; and

10 g. whether any individuals had been previously detained or incarcerat-  
11 ed and, if so, whether such individuals had received treatment during  
12 such detention or incarceration.

13 3. Report. No later than one year after the effective date of this  
14 act, the department of health, in cooperation with the department of  
15 corrections and community supervision, the office of addiction services  
16 and supports, and the office of mental health, shall deliver a report in  
17 an aggregate and de-identified form on trends discovered through the  
18 study conducted pursuant to subdivision two of this section to the  
19 governor, the temporary president of the senate, and the speaker of the  
20 assembly. The reports for the calendar year 2020 shall be completed and  
21 delivered to the governor, the temporary president of the senate and the  
22 speaker of the assembly by December 31, 2021. For future calendar years,  
23 the report shall be completed and delivered to such persons on or before  
24 December 31 of the following year.

25 4. Powers. All other departments or agencies of the state or subdivi-  
26 sions thereof, and local governments shall, at the request of the  
27 commissioner of health, the commissioner of corrections and community  
28 supervision, the commissioner of the office of addiction services and  
29 supports, or the commissioner of the office of mental health, or at the  
30 request of the designee of any such commissioner, provide expertise,  
31 assistance, and/or data that is relevant or material to the completion  
32 of the study directed to be completed by subdivision two of this section  
33 and the report directed to be completed by subdivision three of this  
34 section.

35 § 2. This act shall take effect immediately.