STATE OF NEW YORK

5121

2023-2024 Regular Sessions

IN ASSEMBLY

March 2, 2023

Introduced by M. of A. STIRPE, MAGNARELLI, DICKENS, LUPARDO -- Multi-Sponsored by -- M. of A. SIMON -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to supervising the refilling of medical oxygen

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

Section 1. Section 6808 of the education law is amended by adding a new subdivision 9 to read as follows:

9. Supervision. a. A pharmacy, wholesaler, manufacturer or outsourcing facility registered under this section who refills medical oxygen shall ensure any person responsible for supervising the refilling of medical oxygen has the necessary education, training, and experience, or any combination thereof to perform assigned functions in such a manner as to provide assurance that the medical oxygen has the safety, identity, strength, quality, and purity that it purports or is represented to possess.

b. A supervisor shall undergo training for each particular operation that the supervisor supervises and shall maintain good manufacturing practices including current good manufacturing practice regulations found in title 21 of the code of federal regulations and written procedures required by such federal regulations as they relate to a supervisor of the processing and repacking of medical oxygen functions. As determined by the board of pharmacy, training on current good manufacturing practice shall be conducted by qualified individuals on a continuing basis and with sufficient frequency to assure that supervisors remain familiar with current good manufacturing practice requirements applicable to them.

§ 2. This act shall take effect on the thirtieth 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 on or before such effective date.

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

LBD00331-01-3