

# STATE OF NEW YORK

5984--A

2023-2024 Regular Sessions

## IN ASSEMBLY

March 28, 2023

Introduced by M. of A. McDONALD -- read once and referred to the Committee on Health -- recommitted to the Committee on Health in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to increasing the supply of controlled substances a practitioner in a hospital without a full-time pharmacy may dispense to a patient in a hospital emergency room for use off the premises

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

- 1 Section 1. Subdivision 2 of section 3342 of the public health law, as  
2 amended by chapter 692 of the laws of 1976, is amended to read as  
3 follows:  
4 2. An institutional dispenser may dispense controlled substances, as  
5 such term is defined pursuant to subdivision four of section thirty-  
6 three hundred two of this article, for use off its premises only pursu-  
7 ant to a prescription, prepared and filed in conformity with this title,  
8 provided, however, that, in an emergency situation as defined by rule or  
9 regulation of the department, a practitioner in a hospital without a  
10 full-time pharmacy may dispense controlled substances to a patient in a  
11 hospital emergency room for use off the premises of the institutional  
12 dispenser for a period not to exceed [~~twenty-four~~] seventy-two hours,  
13 unless the federal drug enforcement administration has authorized a  
14 longer time period for the purpose of initiating maintenance treatment,  
15 detoxification treatment, or both.  
16 § 2. This act shall take effect on the ninetieth day after it shall  
17 have become a law.

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

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