STATE OF NEW YORK

8039

2023-2024 Regular Sessions

IN ASSEMBLY

September 13, 2023

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

AN ACT to amend the public health law, in relation to directing the department of health to create a prescription drug inventory database

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

Section 1. The public health law is amended by adding a new section 278-b to read as follows:

§ 278-b. Prescription drug inventory database. 1. The department shall create and maintain an online searchable database that contains a list of all drugs currently in shortage, and a list of pharmacies in the state where each such drug is currently in stock.

2. The department shall make the database accessible only to licensed physicians and pharmacists, and shall authorize only licensed pharmacists to update inventory levels of drugs currently in shortage, as listed in the database. Each pharmacy shall update its inventory levels of all drugs currently in shortage, as listed in the database, at least weekly.

3. The department shall be authorized to promulgate any rules and/or regulations necessary to implement the provisions of this section.

4. For the purposes of this section, the following terms shall have the following meanings:

(a) "Database" shall mean the database created pursuant to subdivision one of this section.

(b) "Drugs currently in shortage" shall mean drugs designated as being currently in shortage by the federal food and drug administration's drug shortages database.

(c) "Pharmacist" shall mean a person licensed as a pharmacist pursuant to article one hundred thirty-seven of the education law.

(d) "Pharmacy" shall mean an establishment registered as a pharmacy pursuant to section sixty-eight hundred eight of the education law.

(e) "Physician" shall mean a person licensed as a physician pursuant to article one hundred thirty-one of the education law.

§ 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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