STATE OF NEW YORK

825

2023-2024 Regular Sessions

IN ASSEMBLY

January 11, 2023

Introduced by M. of A. JOYNER -- read once and referred to the Committee on Higher Education

AN ACT to amend the public health law, in relation to the dispensing of glucagon

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 279-a to read as follows:

§ 279-a. Dispensing of glucagon. Notwithstanding any other provisions of law to the contrary, a pharmacist may dispense any Food and Drug Administration approved glucagon medication to an insulin using person regardless if the person currently has or previously has had a prescription for glucagon.

1. (a) A health care professional may prescribe by a patient-specific or non-patient-specific prescription, dispense or distribute, directly or indirectly, an order of glucagon to a glucagon recipient;

(b) A pharmacist may dispense an order of glucagon, through a patient-specific or non-patient-specific prescription pursuant to this section, to a glucagon recipient;

(c) The provisions of this section shall not be deemed to require a prescription for any order of glucagon that does not otherwise require a prescription; nor shall it be deemed to limit the authority of a health care professional to prescribe, dispense or distribute, or of a pharmacist to dispense, an order of glucagon under any other provision of law, provided that:

(i) any dispensing of glucagon under this section shall be done only in accordance with a physician-approved protocol and shall specify the minimum required components of any such protocol;

(ii) the person to whom glucagon is dispensed shall be educated by the pharmacist as to the mechanism and circumstances for the administration of glucagon; and

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

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(iii) a record of the dispensing of glucagon shall be made available to the patient's physician and to the physician signing a protocol under this subdivision, if required by the physician or physicians.

2. Reimbursement is the responsibility of the person obtaining the glucagon consistent with the requirements of his or her health insurance. The pharmacist shall counsel an uninsured person on any existing programs that aid in access to glucagon.

§ 2. This act shall take effect immediately.