

STATE OF NEW YORK

9769

IN ASSEMBLY

April 5, 2024

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

AN ACT to amend the public health law, in relation to requiring pharmacies that are permanently closing to notify customers of such closing

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

1 Section 1. The public health law is amended by adding a new section
2 280-d to read as follows:

3 § 280-d. Notice of pharmacy closure. 1. Any pharmacy operating pursu-
4 ant to article one hundred thirty-seven of the education law that is
5 permanently closing shall provide to customers, upon the dispensing of
6 any prescription medication to any such customer, written notice of the
7 date upon which such pharmacy shall be permanently closed. Such pharma-
8 cy shall also, to the extent possible, contact all customers who have
9 filled prescriptions within the past twelve months and provide such
10 customers with notice of the date upon which such pharmacy shall be
11 permanently closed.

12 2. The notice required pursuant to subdivision one of this section
13 shall include, but not be limited to:

14 (a) the permanent closure date of such pharmacy;

15 (b) a list of five pharmacies in close physical proximity, including
16 the contact information for such pharmacies, provided, however, that at
17 least three out of the five pharmacies listed shall be independently
18 owned;

19 (c) instructions on how customers can transfer any existing
20 prescriptions from the closing pharmacy to one of the five listed phar-
21 macies; and

22 (d) consequences of failing to transfer a prescription from a closing
23 pharmacy prior to such pharmacy's closing date.

24 § 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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