STATE OF NEW YORK

9769--B

IN ASSEMBLY

April 5, 2024

Introduced by M. of A. L. ROSENTHAL, McDONALD -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules

AN ACT to amend the education law, in relation to requiring pharmacies that are discontinuing to notify customers of such discontinuance

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

Section 1. The education law is amended by adding a new section 6811-d to read as follows:

§ 6811-d. Notification of pharmacy discontinuance. 1. Every registered pharmacy that sells prescription drugs at retail shall provide public notice at least thirty days prior to its discontinuance. Such notice shall:

(a) be provided, to the extent possible, to customers who have had a prescription filled at the pharmacy within the year prior to its discontinuance through the customer's primary means of communication with such pharmacy; and

(b) be conspicuously posted at or adjacent to the place in the pharmacy where prescriptions are presented for compounding and dispensing, in the waiting area for customers, or the area where prescribed drugs are dispensed.

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

(a) the date of such pharmacy's discontinuance;

(b) the names, addresses, and phone numbers of five nearby pharmacies, provided that, to the extent possible, at least two of the listed pharmacies shall be independently owned;

(c) instructions on transferring any existing prescriptions to another pharmacy; and

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

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(d) information regarding the disposition of prescription records if a customer fails to transfer a prescription prior to such pharmacy's discontinuance.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law.