# STATE OF NEW YORK

4870

2023-2024 Regular Sessions

# IN SENATE

February 16, 2023

Introduced by Sen. ASHBY -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to patient counseling before issuing a prescription for a schedule II opioid

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

Section 1. Section 3331 of the public health law is amended by adding a new subdivision 2-a to read as follows:

**2-a. Prior to issuing a prescription for a schedule II opioid, a practitioner shall:**

**(a) consult with the patient regarding the quantity of the opioid and the patient's option to fill the prescription in a lesser quantity;**

**(b) inform the patient of the risks associated with opiate addiction; and**

**(c) document the reason for the opioid prescription in the patient's medical record.**

§ 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

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

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