STATE OF NEW YORK

808

2023-2024 Regular Sessions

IN ASSEMBLY

January 11, 2023

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

AN ACT to amend the public health law, in relation to promulgating regulations for hospital emergency rooms when treating patients suffering from an opioid overdose or addiction

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

Section 1. Section 206 of the public health law is amended by adding a new subdivision 32 to read as follows:

32. (a) The commissioner, in consultation with the commissioner of mental health, shall promulgate regulations for the treatment of opioid addictions and/or opioid overdoses in hospital emergency rooms. For purposes of this subdivision:

(i) "Peer to peer support services" means participant-centered services that emphasize knowledge and wisdom through lived experience in which peers are encouraged to share their own personal experience and first-hand knowledge of substance abuse, addiction, and recovery to support the recovery goals of individuals who use drugs and/or alcohol.

(ii) "Opioid" means an opiate as defined in section thirty-three hundred two of this chapter.

(iii) "Opioid antagonist" means a federal food and drug administration-approved drug that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the body. The opioid antagonist shall be limited to naloxone, buprenorphine or other medications approved by the department for this purpose.

(b) Such regulations shall include, but not be limited to, requiring emergency rooms to provide patients and those who accompany them with:

(i) formal recovery support, including, but not limited to, detox and medication assisted treatment;

(ii) information regarding various modes of recovery;

(iii) contact information for peer to peer support services;

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

LBD00687-01-3

(iv) information for patients and those who accompany them on how and when to administer an opioid antagonist, and where to obtain an opioid antagonist prescription; and

(v) a prescribed opioid antagonist.

(c) Such regulations may provide that hospital emergency rooms may refer patients to other facilities offering detox and/or medication assisted treatment, including but not limited to:

(i) free standing substance abuse facilities;

(ii) general hospitals;

(iii) residential facilities for persons who abuse or are dependent upon opioids;

(iv) methadone maintenance programs; and

(v) outpatient facilities for persons who abuse or are dependent on opioids.

§ 2. This act shall take effect on the one hundred eightieth 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.