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:

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

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

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

(a) the permanent closure date of such pharmacy;

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

(c) instructions on how customers can transfer any existing prescriptions from the closing pharmacy to one of the five listed pharmacies; and

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

§ 2. This act shall take effect immediately.

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

LBD14216-04-4