

STATE OF NEW YORK

2640--A

2025-2026 Regular Sessions

IN ASSEMBLY

January 21, 2025

Introduced by M. of A. SAYEGH, HUNTER, K. BROWN, LUNSFORD, KASSAY -- read once and referred to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to requiring prescription drug containers be labeled with a description of the size, shape, color and imprint of the prescription drug it contains if such drug is in tablet or capsule form

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

1 Section 1. Subdivision 1 of section 6810 of the education law, as
2 amended by section 2 of part V of chapter 57 of the laws of 2012, is
3 amended to read as follows:
4 1. No drug for which a prescription is required by the provisions of
5 the Federal Food, Drug and Cosmetic Act or by the commissioner of health
6 shall be distributed or dispensed to any person except upon a
7 prescription written by a person legally authorized to issue such
8 prescription. Such drug shall be compounded or dispensed by a licensed
9 pharmacist, and no such drug shall be dispensed without affixing to the
10 immediate container in which the drug is sold or dispensed a label bear-
11 ing the name and address of the owner of the establishment in which it
12 was dispensed, the date compounded, the number of the prescription under
13 which it is recorded in the pharmacist's prescription files, the name of
14 the prescriber, the name and address of the patient, a physical
15 description of the drug if such drug is in tablet or capsule form,
16 including, but not limited to, the size, shape, color, and imprint of
17 the drug, and the directions for the use of the drug by the patient as
18 given upon the prescription. All labels shall conform to such rules and
19 regulations as promulgated by the commissioner pursuant to section
20 sixty-eight hundred twenty-nine of this article. The prescribing and

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

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1 dispensing of a drug which is a controlled substance shall be subject to
2 additional requirements provided in article thirty-three of the public
3 health law. The words "drug" and "prescription required drug" within the
4 meaning of this article shall not be construed to include soft or hard
5 contact lenses, eyeglasses, or any other device for the aid or
6 correction of vision. Nothing in this subdivision shall prevent a phar-
7 macy from furnishing a drug to another pharmacy which does not have such
8 drug in stock for the purpose of filling a prescription.
9 § 2. This act shall take effect one year after it shall have become a
10 law.