STATE OF NEW YORK

5432

2025-2026 Regular Sessions

IN ASSEMBLY

February 14, 2025

Introduced by M. of A. McDONALD, WOERNER, LUPARDO, WALSH, JENSEN, CRUZ, LAVINE, REYES, BEEPHAN, ANGELINO, LEMONDES, GALLAHAN, MAHER -- Multi-Sponsored by -- M. of A. DAVILA -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to dispensing certain controlled substances for use by a person with a substance use disorder

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

Section 1. Subdivisions 1 and 2 of section 3351 of the public health law, as added by chapter 878 of the laws of 1972, is amended and a new subdivision 1-a is added to read as follows:

1. Controlled substances may be prescribed for, or administered or dispensed to [~~an addict~~] **a person with a substance use disorder** or habitual user:

(a) during emergency medical treatment unrelated to [~~abuse~~] **such substance use disorder or habitual use** of controlled substances;

(b) who is a bona fide patient suffering from an incurable and fatal disease such as cancer or advanced tuberculosis;

(c) who is aged, infirm, or suffering from serious injury or illness and the withdrawal from controlled substances would endanger the life or impede or inhibit the recovery of such person.

1-a. A practitioner may prescribe, administer and dispense any schedule III, IV, or V narcotic drug approved by the federal food and drug administration specifically for use in maintenance or detoxification treatment to a person with a substance use disorder or habitual user.

2. Controlled substances may be ordered for use by [~~an addict~~] **a person with a substance use disorder** or habitual user by a practitioner and administered by a practitioner [~~or~~]**,** registered nurse**, or emergency medical technician-paramedic, acting within their scope of practice,** to relieve acute withdrawal symptoms.

§ 2. This act shall take effect immediately.

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

LBD01964-02-5