STATE OF NEW YORK

3883--B

2025-2026 Regular Sessions

IN SENATE

January 30, 2025

Introduced by Sens. HINCHEY, FAHY -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 amended by chapter 511 of the laws of 2025, are amended to read as follows:

1. Controlled substances may be prescribed for, or administered or dispensed to a person with 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.

2. Controlled substances may be ordered for use by a person with 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.

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

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§ 2. Subdivisions 1 and 2 of section 3351 of the public health law, as separately amended by chapters 511 and 546 of the laws of 2025, are amended to read as follows:

1. Controlled substances may be prescribed for, or administered or dispensed to a person with 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.

2. Controlled substances may be ordered for use by a person with 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.

§ 3. This act shall take effect immediately; provided, however, that section two of this act shall take effect on the same date and in the same manner as section 2 of chapter 546 of the laws of 2025, takes effect.