

STATE OF NEW YORK

7357

2025-2026 Regular Sessions

IN SENATE

April 10, 2025

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to requiring hospital and emergency room physicians to notify a patient's prescriber that such patient is being treated for a controlled substance overdose

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

1 Section 1. Paragraphs (i) and (j) of subdivision 1 of section 3371 of
2 the public health law, as added by section 4 of part A of chapter 447 of
3 the laws of 2012, are amended to read as follows:

4 (i) to a medical examiner or coroner who is an officer of or employed
5 by a state or local government, pursuant to [~~his or her~~] their official
6 duties; [~~and~~]

7 (j) to an individual for the purpose of providing such individual with
8 [~~his or her~~] their own controlled substance history or, in appropriate
9 circumstances, in the case of a patient who lacks capacity to make
10 health care decisions, a person who has legal authority to make such
11 decisions for the patient and who would have legal access to the
12 patient's health care records, if requested from the department pursuant
13 to subdivision six of section thirty-three hundred forty-three-a of this
14 article or from a treating practitioner pursuant to subparagraph (iv) of
15 paragraph (a) of subdivision two of this section; and

16 (k) to a practitioner to inform such practitioner that a patient is
17 under treatment for a controlled substance overdose by hospital or emer-
18 gency room practitioner for the purposes of subdivision two of this
19 section.

20 § 2. Paragraph (a) of subdivision 2 of section 3371 of the public
21 health law, as amended by section 56-b of chapter 92 of the laws of
22 2021, is amended to read as follows:

23 (a) a practitioner, or a designee authorized by such practitioner
24 pursuant to paragraph (b) of subdivision two of section thirty-three

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

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1 hundred forty-three-a, section thirty-three hundred sixty-one of this
2 article or section thirty of the cannabis law, for the purposes of: (i)
3 informing the practitioner that a patient may be under treatment with a
4 controlled substance by another practitioner or that a patient is under
5 treatment for a controlled substance overdose; (ii) providing the prac-
6 titioner with notifications of controlled substance activity as deemed
7 relevant by the department, including but not limited to a notification
8 made available on a monthly or other periodic basis through the registry
9 of controlled substances activity pertaining to [~~his or her~~] such prac-
10 titioner's patient; (iii) allowing the practitioner, through consulta-
11 tion of the prescription monitoring program registry, to review [~~his or~~
12 ~~her~~] such practitioner's patient's controlled substances history as
13 required by section thirty-three hundred forty-three-a, section thirty-
14 three hundred sixty-one of this article or section thirty of the canna-
15 bis law; and (iv) providing to [~~his or her~~] such practitioner's patient,
16 or person authorized pursuant to paragraph (j) of subdivision one of
17 this section, upon request, a copy of such patient's controlled
18 substance history as is available to the practitioner through the
19 prescription monitoring program registry; or

20 § 3. Paragraph (a) of subdivision 2 of section 3371 of the public
21 health law, as added by section 5 of part A of chapter 447 of the laws
22 of 2012, is amended to read as follows:

23 (a) a practitioner, or a designee authorized by such practitioner
24 pursuant to paragraph (b) of subdivision two of section thirty-three
25 hundred forty-three-a of this article, for the purposes of: (i) inform-
26 ing the practitioner that a patient may be under treatment with a
27 controlled substance by another practitioner or that a patient is under
28 treatment for a controlled substance overdose; (ii) providing the prac-
29 titioner with notifications of controlled substance activity as deemed
30 relevant by the department, including but not limited to a notification
31 made available on a monthly or other periodic basis through the registry
32 of controlled substances activity pertaining to [~~his or her~~] such prac-
33 titioner's patient; (iii) allowing the practitioner, through consulta-
34 tion of the prescription monitoring program registry, to review [~~his or~~
35 ~~her~~] such practitioner's patient's controlled substances history as
36 required by section thirty-three hundred forty-three-a of this article;
37 and (iv) providing to [~~his or her~~] such practitioner's patient, or
38 person authorized pursuant to paragraph (j) of subdivision one of this
39 section, upon request, a copy of such patient's controlled substance
40 history as is available to the practitioner through the prescription
41 monitoring program registry; or

42 § 4. The opening paragraph of paragraph (a) of subdivision 2 of
43 section 3343-a of the public health law, as added by section 2 of part A
44 of chapter 447 of the laws of 2012, is amended to read as follows:

45 Every practitioner shall consult the prescription monitoring program
46 registry prior to prescribing or dispensing any controlled substance
47 listed on schedule II, III or IV of section thirty-three hundred six of
48 this article, for the purpose of reviewing a patient's controlled
49 substance history as set forth in such registry and every emergency room
50 or hospital practitioner shall consult the prescription monitoring
51 program registry when treating a patient for a controlled substance
52 overdose and shall notify the patient's prescriber of such overdose;
53 provided, however, that nothing in this section shall preclude an
54 authorized practitioner, other than a veterinarian, from consulting the
55 registry at [~~his or her~~] such practitioner's option prior to prescribing

1 or dispensing any controlled substance. The duty to consult the registry
2 shall not apply to:
3 § 5. This act shall take effect immediately; provided, however, that
4 the amendments to paragraph (a) of subdivision 2 of section 3371 of the
5 public health law as amended by section two of this act shall be subject
6 to the expiration and reversion of such subdivision pursuant to section
7 12 of chapter 90 of the laws of 2014, as amended, when upon such date
8 the provisions of section three of this act shall take effect.