

STATE OF NEW YORK

1172--A

2025-2026 Regular Sessions

IN ASSEMBLY

January 9, 2025

Introduced by M. of A. PAULIN, SEAWRIGHT, GLICK, GONZALEZ-ROJAS, SIMON, LEVENBERG, SHRESTHA, SHIMSKY, SIMONE, EPSTEIN, BURDICK, TAPIA, BORES, REYES, CLARK, ROSENTHAL, RAGA, STERN, SAYEGH, FORREST, McDONALD, STIRPE, McMAHON, WEPRIN, LAVINE, KELLES, CRUZ, LASHER, GALLAGHER -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommended to said committee

AN ACT to amend the public health law, the education law and the insurance law, in relation to the dispensing of abortion medication

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

1 Section 1. The public health law is amended by adding a new section
2 267-c to read as follows:

3 § 267-c. Abortion medication. The commissioner is authorized to estab-
4 lish a non-patient specific order, consistent with sections sixty-eight
5 hundred one and sixty-nine hundred two of the education law, for
6 dispensing abortion medication as defined in section sixty-eight hundred
7 two of the education law.

8 § 2. Section 6527 of the education law is amended by adding a new
9 subdivision 12 to read as follows:

10 12. A licensed physician may prescribe and order a non-patient specif-
11 ic order to a registered professional nurse or pharmacist licensed and
12 located in this state, pursuant to regulations promulgated by the
13 commissioner, and consistent with section sixty-eight hundred one of
14 this title, for dispensing abortion medication as defined in section
15 sixty-eight hundred two of this title.

16 § 3. Section 6802 of the education law is amended by adding a new
17 subdivision 31 to read as follows:

18 31. "Abortion medication" means any medication approved by the federal
19 Food and Drug Administration for the purposes of inducing abortion or
20 expelling a miscarriage.

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

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1 § 4. Section 6801 of the education law is amended by adding a new
2 subdivision 10 to read as follows:

3 10. (a) A licensed pharmacist may execute a non-patient specific order
4 for the dispensing of abortion medication prescribed or ordered by the
5 commissioner of health, a physician licensed in this state, or a nurse
6 practitioner certified in this state pursuant to rules and regulations
7 promulgated by the commissioner.

8 (b) Prior to dispensing abortion medication, the pharmacist shall:

9 (i) provide a risk assessment questionnaire, developed by the commis-
10 sioner of health in consultation with the commissioner, to be reviewed
11 by the pharmacist to identify any known risk factors; and

12 (ii) provide a fact sheet, developed by the commissioner of health
13 that includes but is not limited to, the clinical considerations and
14 recommendations for use of abortion medication, the appropriate method
15 for using abortion medication, information on the importance of follow-
16 up health care, and health care referral information.

17 (c) No pharmacist shall dispense abortion medication under this subdi-
18 vision without receiving training satisfactory to the commissioner.

19 (d) Nothing in this subdivision shall prevent a pharmacist from refus-
20 ing to dispense a non-patient specific order of abortion medication
21 pursuant to this subdivision if, in their professional judgment, poten-
22 tial adverse effects, interactions or other therapeutic complications
23 could endanger the health of the patient.

24 § 5. Section 6902 of the education law is amended by adding a new
25 subdivision 4 to read as follows:

26 4. (a) A registered professional nurse may execute a non-patient
27 specific order for the dispensing of abortion medication, as defined in
28 section sixty-eight hundred two of this title, prescribed or ordered by
29 the commissioner of health, a physician licensed in this state, or a
30 nurse practitioner certified in this state pursuant to rules and regu-
31 lations promulgated by the commissioner.

32 (b) Prior to dispensing abortion medication, a registered professional
33 nurse shall:

34 (i) provide a risk assessment questionnaire, developed by the commis-
35 sioner of health in consultation with the commissioner, to be reviewed
36 by the registered professional nurse to identify any known risk factors;
37 and

38 (ii) provide a fact sheet, developed by the commissioner of health
39 that includes but is not limited to, the clinical considerations and
40 recommendations for use of abortion medication, the appropriate method
41 for using abortion medication, information on the importance of follow-
42 up health care, and health care referral information.

43 (c) No registered professional nurse shall dispense abortion medica-
44 tion under this subdivision without receiving training satisfactory to
45 the commissioner.

46 (d) Nothing in this subdivision shall prevent a registered profes-
47 sional nurse from refusing to dispense a non-patient specific order of
48 abortion medication pursuant to this subdivision if, in their profes-
49 sional judgment, potential adverse effects, interactions or other thera-
50 peutic complications could endanger the health of the patient.

51 § 6. Section 6909 of the education law is amended by adding a new
52 subdivision 12 to read as follows:

53 12. A certified nurse practitioner may prescribe and order a non-pa-
54 tient specific order to a registered professional nurse or pharmacist
55 licensed and located in this state, pursuant to regulations promulgated
56 by the commissioner, and consistent with sections sixty-eight hundred

1 one and sixty-nine hundred two of this title, for dispensing abortion
2 medication as defined in section sixty-eight hundred two of this title.

3 § 7. Section 3216 of the insurance law is amended by adding a new
4 subsection (n) to read as follows:

5 (n) Any policy under this article that covers contraception when
6 provided pursuant to a prescription shall cover abortion medication as
7 defined in subdivision thirty-one of section sixty-eight hundred two of
8 the education law, when provided pursuant to an ordinary prescription or
9 order under section sixty-eight hundred one or sixty-nine hundred two of
10 the education law and when lawfully provided other than through a
11 prescription or order.

12 § 8. Section 3221 of the insurance law is amended by adding a new
13 subsection (v) to read as follows:

14 (v) Any policy under this article that covers contraception when
15 provided pursuant to a prescription, shall cover abortion medication as
16 defined in subdivision thirty-one of section sixty-eight hundred two of
17 the education law, when provided pursuant to an ordinary prescription or
18 order under section sixty-eight hundred one or sixty-nine hundred two of
19 the education law and when lawfully provided other than through a
20 prescription or order.

21 § 9. Section 4303 of the insurance law is amended by adding a new
22 subsection (xx) to read as follows:

23 (xx) Any policy under this article that covers contraception when
24 provided pursuant to a prescription, shall cover abortion medication as
25 defined in subdivision thirty-one of section sixty-eight hundred two of
26 the education law, when provided pursuant to an ordinary prescription or
27 order under section sixty-eight hundred one or sixty-nine hundred two of
28 the education law and when lawfully provided other than through a
29 prescription or order.

30 § 10. This act shall take effect eighteen months after it shall have
31 become a law; provided, however, that sections seven, eight and nine of
32 this act shall apply to policies and contracts issued, renewed, modi-
33 fied, altered or amended on or after such effective date. Effective
34 immediately, the addition, amendment and/or repeal of any rule or regu-
35 lation necessary for the implementation of this act on its effective
36 date are authorized to be made and completed on or before such effective
37 date.