

# STATE OF NEW YORK

2625

2025-2026 Regular Sessions

## IN SENATE

January 21, 2025

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

AN ACT to amend the public health law and the education law, in relation to enhancing patient access to medication assisted treatment for treatment of opioid disease

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

1 Section 1. Section 3331 of the public health law is amended by adding  
2 a new subdivision 10 to read as follows:

3 10. A pharmacist, in good faith, and in the usual course of profes-  
4 sional pharmacy practice, may prescribe, administer and dispense  
5 substances listed in schedules III, IV, and V for the treatment of  
6 opioid use disorders, as provided in titles III or V of this article.

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

9 10. (a) A licensed pharmacist may prescribe FDA-approved medication  
10 assisted therapy under a non-patient-specific regimen for the treatment  
11 of opioid use disease in accordance with subdivision twelve of section  
12 sixty-five hundred twenty-seven of this title and regulations promulgat-  
13 ed by the commissioner of health established pursuant to paragraph (x)  
14 of subdivision one of section two hundred six of the public health law  
15 in consultation with the commissioner.

16 (b) A licensed pharmacist authorized to issue a prescription for medi-  
17 cation assisted treatment of opioid use disorder shall:

18 (i) register with the federal Drug Enforcement Administration and  
19 complete the training required by Section 303 of the Controlled  
20 Substances Act (21 USC 823);

21 (ii) provide information to the patient on the importance of having a  
22 primary health care practitioner, developed by the commissioner of  
23 health;

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

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1 (iii) report such administration by electronic transmission or facsim-  
2 ile to the patient's attending primary health care practitioner or prac-  
3 titioners, if any; and

4 (iv) refer patient to provider or practice responsible for collaborat-  
5 ing in the non-patient-specific regimen.

6 § 3. Subdivision 1 of section 206 of the public health law is amended  
7 by adding a new paragraph (x) to read as follows:

8 (x) establish a statewide protocol for pharmacist prescribing of medi-  
9 cation assisted treatment of opioid use disorder, not later than ninety  
10 days after the effective date of this paragraph. A licensed pharmacist  
11 authorized to issue a prescription for medication assisted treatment of  
12 opioid use disorder shall register with the federal Drug Enforcement  
13 Administration and complete the training required by Section 303 of the  
14 Controlled Substances Act (21 USC 823).

15 § 4. Paragraph (e) of subdivision 4 of section 3381 of the public  
16 health law, as amended by chapter 433 of the laws of 2021, is amended to  
17 read as follows:

18 (e) A pharmacy registered under article one hundred thirty-seven of  
19 the education law may offer counseling and referral services to custom-  
20 ers purchasing hypodermic syringes for the purpose of: preventing  
21 injection drug abuse; the provision of drug treatment; preventing and  
22 treating hepatitis C; preventing drug overdose; testing for the human  
23 immunodeficiency virus; and providing pre-exposure prophylaxis and non-  
24 occupational post-exposure prophylaxis. The content of such counseling  
25 and referral shall be at the professional discretion of the pharmacist.

26 A licensed pharmacist authorized to issue prescriptions for medication  
27 assisted treatment pursuant to subdivision ten of section thirty-three  
28 hundred thirty-one of this article may offer medication assisted treat-  
29 ment.

30 § 5. Section 6527 of the education law is amended by adding a new  
31 subdivision 12 to read as follows:

32 12. A licensed physician may prescribe and order a non-patient-specif-  
33 ic regimen to a licensed pharmacist, for prescribing buprenorphine for  
34 the care of patients with opioid use disorder pursuant to subdivision  
35 ten of section sixty-eight hundred one of this title.

36 § 6. This act shall take effect on the one hundred eightieth day after  
37 it shall have become a law.