

STATE OF NEW YORK

3416--B

2025-2026 Regular Sessions

IN SENATE

January 27, 2025

Introduced by Sen. FERNANDEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to authorizing practitioners in institutional dispensers to dispense controlled substances as emergency treatment for use off premises

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

1 Section 1. Subdivision 2 of section 3342 of the public health law, as
2 amended by chapter 466 of the laws of 2024, is amended to read as
3 follows:
4 2. [~~An~~] A practitioner in any institutional dispenser may dispense
5 controlled substances [~~for use off its premises only pursuant to a~~
6 ~~prescription, prepared and filed in conformity with this title,~~
7 ~~provided, however, that,~~] as emergency treatment in an emergency situ-
8 ation as defined by rule or regulation of the department [~~, a practition-~~
9 ~~er in a hospital without a full-time pharmacy may dispense controlled~~
10 ~~substances to a patient in a hospital emergency room~~] for use off the
11 premises of the institutional dispenser [~~for a period not to exceed~~
12 ~~twenty-four hours, unless~~] as authorized by the federal drug enforcement
13 administration [~~has authorized a longer time period~~] for the purpose of
14 initiating maintenance treatment, detoxification treatment, or both.
15 § 2. This act shall take effect on the ninetieth day after it shall
16 have become a law.

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

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