STATE OF NEW YORK

3883--A

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

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 added by chapter 878 of the laws of 1972, are amended to read as follows:

1. Controlled substances may be prescribed for, or administered or dispensed to an addict 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 an addict 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.

§ 2. This act shall take effect immediately.

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

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