STATE OF NEW YORK

9985

IN SENATE

April 21, 2026

Introduced by Sen. RHOADS -- 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 transparency in the prescription drug supply chain, including disclosure of country of origin and manufacturer information

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

Section 1. This act shall be entitled the "foreign drug transparency act".

§ 2. Legislative intent. The legislature hereby finds and declares that:

1. The United States prescription drug supply chain is increasingly globalized, with a significant portion of finished drug products and active pharmaceutical ingredients (APIs) manufactured outside of the United States.

2. Patients, pharmacists, and health care providers often lack access to clear and accessible information regarding the origin and manufacturing of prescription drugs.

3. Transparency regarding the origin, manufacture, and distribution of prescription drugs is essential to ensuring patient confidence, informed decision-making, and supply chain accountability.

4. The legislature recognizes and supports ongoing bipartisan federal efforts, including the CLEAR LABELS Act, to require disclosure of drug manufacturing and supply chain information.

5. It is the intent of this act to complement federal law by ensuring that such information is readily accessible to consumers at the point of dispensing within New York State.

§ 3. Subdivision 1 of section 280-a of the public health law is amended by adding three new paragraphs (j), (k), and (l) to read as follows:

(j) "Active pharmaceutical ingredient" or "API" means any substance or component intended to furnish pharmacological activity in the diagnosis, cure, mitigation, treatment, or prevention of disease.

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

LBD15453-01-6

(k) "Original manufacturer" means the entity that performs the final substantial manufacturing step prior to the introduction of an API or finished drug product into interstate commerce.

(l) "Supply chain information" means:

(i) The country of origin of the finished drug product;

(ii) The country or countries of origin of any active pharmaceutical ingredients;

(iii) The name and place of business of the original manufacturer of the API;

(iv) The name and place of business of the manufacturer of the finished drug product; and

(v) The name and place of business of any packer or distributor, if applicable.

§ 4. Section 6810 of the education law is amended by adding a new subdivision 1-b to read as follows:

1-b.(a) In addition to the labeling requirements pursuant to subdivision one of this section, a pharmacy shall ensure that, at the time a prescription drug is dispensed to a patient, supply chain information, as defined in paragraph (l) of subdivision one of section two hundred eighty-a of the public health law, is made readily accessible to the patient.

(b) Such information shall be provided through one or more of the following methods:

(i) A clearly visible notation on the prescription label or accompanying documentation indicating the country of origin of the finished drug product;

(ii) A machine-readable code, including but not limited to a QR code, or a digital link that directs the patient to a publicly accessible source containing supply chain information; or

(iii) A printed or electronic document provided to the patient at the point of sale.

(c) Such disclosures shall be presented in a clear, conspicuous, and consumer-friendly manner, consistent with applicable federal law and regulations.

§ 5. Subdivision 2 of section 280-a of the public health law is amended by adding a new paragraph (f-1) to read as follows:

(f-1) (i) A pharmacy benefit manager shall maintain, and make available to pharmacies, health plans, and patients upon request, supply chain information for prescription drugs covered under its network.

(ii) Such information shall be transmitted in a standardized electronic format sufficient to enable compliance with the requirements of this title.

§ 6. The public health law is amended by adding a new section 278-b to read as follows:

§ 278-b. Electronic portal. The commissioner shall:

(a) Develop or designate a publicly accessible electronic portal or database through which patients may access supply chain information for prescription drugs dispensed within the state;

(b) Promulgate rules and regulations necessary to implement the provisions of this act, including standards for data formatting, accessibility, and consumer readability; and

(c) Ensure that implementation of this act is consistent with, and does not conflict with, federal law governing drug labeling and regulation.

§ 7. Construction. Nothing in this act shall be construed to require labeling or disclosures that are preempted by federal law, including the

Federal Food, Drug, and Cosmetic Act. The provisions of this act shall be implemented to complement and align with federal requirements relating to drug labeling and supply chain transparency.

§ 8. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.