§ 6807. Exempt persons; special provisions. 1. This article shall not be construed to affect or prevent:

a. Unlicensed assistants from being employed in licensed pharmacies for purposes other than the practice of pharmacy;

b. Any physician, dentist, veterinarian or other licensed health care provider legally authorized to prescribe drugs under this title who is not the owner of a pharmacy or who is not in the employ of such owner, from supplying his patients with such drugs as the physician, dentist, veterinarian or other licensed health care provider legally authorized to prescribe drugs under this title deems proper in connection with his practice, provided, however, that all such drugs shall be dispensed in a container labeled with the name and address of the dispenser and patient, directions for use, and date of delivery, and in addition, such drug shall bear a label containing the proprietary or brand name of the drug and, if applicable, the strength of the contents, unless the person issuing the prescription specifically states on the prescription in his own handwriting, that the name of the drug and the strength thereof should not appear on the label; provided further that if such drugs are controlled substances, they shall be dispensed pursuant to the requirements of article thirty-three of the public health law;

b-1. Notwithstanding paragraph b of this section, the prescription label for mifepristone or misoprostol may include the name or address of the dispensing health care practice instead of the name of the dispenser.

c. Any merchant from selling proprietary medicines, except those which are poisonous, deleterious or habit forming, or materials and devices specifically exempted by regulations of the department or by the public health law;

d. Any personnel in an institution of higher learning from using prescription-required drugs on the premises for authorized research, experiments or instruction, in accordance with the department's regulations and, if such drugs are controlled substances, in accordance

with title III of article thirty-three of the public health law; or

e. The necessary and ordinary activities of manufacturers and wholesalers, subject to the provisions of article thirty-three of the public health law.

2. a. Notwithstanding the provisions of paragraph b of subdivision one of this section, no prescriber who is not the owner of a pharmacy or who is not in the employ of such owner, may dispense more than a seventy-two hour supply of drugs, except for:

(1) persons practicing in hospitals as defined in section twenty-eight hundred one of the public health law;

(2) the dispensing of drugs at no charge to their patients;

(3) persons whose practices are situated ten miles or more from a registered pharmacy;

(4) the dispensing of drugs in a clinic, infirmary or health service that is operated by or affiliated with a post-secondary institution;

(5) persons licensed pursuant to article one hundred thirty-five of this title;

(6) the dispensing of drugs in a medical emergency as defined in subdivision six of section sixty-eight hundred ten of this article;

(7) the dispensing of drugs that are diluted, reconstituted or compounded by a prescriber;

(8) the dispensing of allergenic extracts; or

(9) the dispensing of drugs pursuant to an oncological or AIDS protocol.

b. The commissioner, in consultation with the commissioner of health, may promulgate regulations to implement this subdivision and may, by regulation, establish additional renewable exemptions for a period not to exceed one year from the provisions of paragraph a of this subdivision.

3. A pharmacist may dispense drugs and devices to a registered professional nurse, and a registered professional nurse may possess and administer, drugs and devices, pursuant to a non-patient specific regimen prescribed or ordered by a licensed physician or certified nurse

practitioner, pursuant to regulations promulgated by the commissioner and the public health law.