*** § 2803-e. Residential health care facilities; return and redistribution of unused medication.** 1. Notwithstanding any inconsistent provision of law, rule or regulation to the contrary, the commissioner is hereby authorized and directed to permit either a resident or consultant pharmacist in a residential health care facility to return to the pharmacy from which it was purchased any unused medication provided that such medication is sealed in unopened, individually packaged units and within the recommended period of shelf life, and provided that such medication is not a controlled substance as defined in section thirty-three hundred six of the public health law.

2. The pharmacy to which such medication as described in subdivision one of this section is returned shall be permitted to receive, restock and redistribute that medication.

3. The pharmacy to which such medication as described in subdivision one of this section is returned shall be required to reimburse or credit the purchaser of that medication for the unused medication that is restocked and redistributed. No pharmacy shall be required to accept any medication returned under subdivision one of this section.

4. Neither an individual patient or the state, if a patient is a recipient of a state funded program, shall be charged for unused medication which according to the provisions of this law is returned for reimbursement or credit.

* NB There are 2 § 2803-e's