§ 3338. Official New York state prescription forms. 1. Official New York state prescription forms shall be prepared and issued by the department in the manner and detail as the commissioner in consultation with the commissioner of education may, by regulation, require, and, each form shall be serialized. Such forms shall be furnished to practitioners authorized to write such prescriptions and to institutional dispensers. Such prescription blanks shall not be transferable.

2. Except as expressly authorized by section thirty-three hundred thirty-four or thirty-three hundred thirty-seven of this article, controlled substances may be prescribed or dispensed only upon an official New York state prescription or, pursuant to regulations, an electronic prescription or out-of-state prescription.

3. The commissioner in consultation with the commissioner of education is hereby authorized and empowered to make rules and regulations, not inconsistent with this article, with respect to the retention or filing of such official New York state prescription forms, electronic prescriptions and out-of-state prescriptions, including information required to be filed with the department, the maximum number of official prescription forms which may be issued at any one time, the manner in which such forms shall be issued, the period of time after issuance by the department that such form shall remain valid for use, and the manner in which practitioners associated with institutional dispensers may use such forms, or any other matter of procedure or detail necessary to effectuate or clarify the provisions of this section and to secure proper and effective enforcement of the provisions of this article.

4. Upon a finding by the commissioner that a person has willfully failed to comply with the provisions of this article, the commissioner may revoke, cancel or withhold official New York state prescription forms which have been issued or for which application has been made.