§ 178.05 Criminal diversion of prescription medications and prescriptions; limitation.

1. The provisions of this article shall not apply to:

(a) a duly licensed physician or other person authorized to issue a prescription acting in good faith in the lawful course of his or her profession; or

(b) a duly licensed pharmacist acting in good faith in the lawful course of the practice of pharmacy; or

(c) a person acting in good faith seeking treatment for a medical condition or assisting another person to obtain treatment for a medical condition.

2. No provision of this article relating to the sale of a prescription medication or device shall be deemed to authorize any act prohibited by article thirty-three of the public health law or article two hundred twenty of this chapter.