



Legislation Text

File #: Res 1576-2012, **Version:** *

Res. No. 1576

Resolution in support of S.5880-A/A.9018-A, which would amend the New York State Public Health Law by (i) designating tramadol as a schedule III narcotic drug, (ii) moving hydrocodone from the list of schedule III narcotic drugs to schedule II controlled substance to enhance existing penalties for possession or sale of large quantities of hydrocodone, and (iii) providing that certain compounds containing hydrocodone shall continue to be handled by licensed distributors in the manner applicable to schedule III controlled substances.

By Council Members Vallone, Fidler, Gentile, Koo and Nelson

Whereas, According to the Office of National Drug Control Policy, prescription drug abuse is the Nation's fastest-growing drug problem; and

Whereas, In 2011, the U.S. Centers for Disease Control and Prevention determined that prescription drug abuse had reached epidemic levels; and

Whereas, Prescription drugs being abused include painkillers: hydrocodone, which is sold as Vicodin, Norco and Lortab; and tramadol; and

Whereas, In order to place restrictions on prescription drugs, the federal and state governments maintain controlled substances lists that are divided into five schedules; and

Whereas, Controlled prescription medications are drugs classified by federal or state law that are illegal to sell or use, but may be dispensed under a physician's prescription; and

Whereas, Currently, hydrocodone is classified by the federal government and New York State as a schedule III drug, which means it has a potential for abuse less than those substances found in schedules I or II and abuse of it may lead to moderate or low physical dependence or high psychological dependence; and

Whereas, Furthermore, pharmacists are authorized to provide those with prescriptions with five refills of substances listed under schedule III without the need of a doctor's visit; and

Whereas, Tramadol, on the other hand, is not on the federal or New York State schedule of controlled substances and is classified as a non-controlled substance; and

Whereas, In order to ensure sufficient safeguards against improper access to painkillers, S.5880-A/A.9018-A were introduced and would amend the New York State Public Health Law by (i) designating tramadol as a schedule III narcotic drug, (ii) eliminating hydrocodone from the list of schedule III narcotic drugs; and (iii) providing that such compounds shall continue to be handled by licensed distributors in the same manner as schedule III controlled substances; and

Whereas, S.5880-A/A.9018-A would make tramadol a controlled substance by adding it as a schedule III drug, thereby limiting the number of refills to five without a doctor's visit; and

Whereas, S.5880-A/A.9018-A would eliminate the automatic five refills for hydrocodone by elevating the drug to schedule II; and

Whereas, By removing the references in schedule III to drugs containing hydrocodone, all such medication would be classified in the more restrictive schedule II; and

Whereas, Moving the drug to a schedule II controlled substance would enhance existing penalties for possession or sale of large quantities of hydrocodone; and

Whereas, S.5880-A/A.9018-A would exempt the relevant forms of hydrocodone from the storage, reporting ordering, record keeping and physical security control requirements for schedule II drugs; and

Whereas, On February 13, 2012, the New York State Senate passed S.5880-A and S.9018-A is now pending in the New York State Assembly; and

Whereas, New York State should act swiftly to pass this legislation in order to restrict access to highly addictive prescription drugs; now, therefore, be it

Resolved, That the Council of the City of New York supports S.5880-A/A.9018-A, which would amend the New York State Public Health Law by (i) designating tramadol as a schedule III narcotic drug, (ii) moving hydrocodone from the list of schedule III narcotic drugs to schedule II controlled substance to enhance existing penalties for

possession or sale of large quantities of hydrocodone, and (iii) providing that certain compounds containing hydrocodone shall continue to be handled by licensed distributors in the manner applicable to schedule III controlled substances.

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