Legislation Details (With Text)

File #:	Int 0462-2022	**Version:**	*	**Name:**	Requiring pharmacies enrolled in a city program to dispense opioid antagonists under a standing order of the dept of health and mental hygiene to post signs announcing their enrollment.
Type:	Introduction			**Status:**	Filed (End of Session)
				In control:	Committee on Health
On agenda:	6/2/2022				
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Title: A Local Law to amend the administrative code of the city of New York, in relation to requiring pharmacies enrolled in a city program to dispense opioid antagonists under a standing order of the department of health and mental hygiene to post signs announcing their enrollment and that patients may procure opioid antagonists at such pharmacy

Sponsors:

Indexes: Agency Rule-making Required

Attachments: 1. Summary of Int. No. 462, 2. Int. No. 462, 3. June 2, 2022 - Stated Meeting Agenda, 4. Hearing Transcript - Stated Meeting 6-2-22, 5. Minutes of the Stated Meeting - June 2, 2022

Date	Ver.	Action By	Action	Result
6/2/2022	*	City Council	Introduced by Council	
6/2/2022	*	City Council	Referred to Comm by Council	
12/31/2023	*	City Council	Filed (End of Session)	

Int. No. 462

By Council Members Ayala, Louis, Hanif, Joseph, Nurse, Gutiérrez, Abreu, Restler, Won and Sanchez

A Local Law to amend the administrative code of the city of New York, in relation to requiring pharmacies enrolled in a city program to dispense opioid antagonists under a standing order of the department of health and mental hygiene to post signs announcing their enrollment and that patients may procure opioid antagonists at such pharmacy

Be it enacted by the Council as follows:

Section 1. Section 20-712 of the administrative code of the city of New York, as added by local law number 25 for the year 2003 amended by local law 80 for the year 2021, is amended to read as follows:

As used in this subchapter, the following terms have the following meanings:

Emergency contraception. The term "emergency contraception" means one or more prescription drugs, used separately or in combination, to be administered to or self-administered by the patient in a dosage and

manner for preventing pregnancy when used after intercourse, found safe and effective for that use by the United States food and drug administration, and dispensed for that purpose in accordance with professional standards of practice.

Pharmacy. The term "pharmacy" means any retail outlet selling prescription drugs within the city.

Prescription drugs. The term "prescription drugs" means any drug which may be dispensed only with a physician's prescription.

Opioid antagonist. The term “opioid antagonist” means naloxone or other medication approved by the New York state department of health and the federal food and drug administration that, when administered, negates or neutralizes, in whole or in part, the pharmacological effects of an opioid in the human body.

§ 2. Subchapter 3 of chapter 5 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-713.2 to read as follows:

§ 20-713.2 Display of information relating to opioid antagonists. a. Sign indicating enrollment in a program to dispense an opioid antagonist required. Any pharmacy enrolled in a program to dispense an opioid antagonist to anyone who requests it, without a patient-specific prescription, pursuant to a citywide non-patient specific prescription issued by the department of health and mental hygiene must conspicuously post, at or adjacent to each counter over which prescription drugs are sold, a sign indicating, in large type, that the pharmacy is enrolled in such program and that patients may procure opioid antagonists at such pharmacy.

b. Rulemaking. The commissioner of consumer affairs, in consultation with the commissioner of health and mental hygiene, shall promulgate such rules and regulations as are necessary to enforce this section.

§ 3. Section 20-715 of the administrative code of the city of New York, as amended by local law number 25 for the year 2003, is amended to read as follows:

§ 20-715 Penalties. Any person who violates the provisions of sections 20-713.1, 20-713.2 or regulations promulgated pursuant to this subchapter shall pay a civil penalty of [one hundred seventy-five dollars] $175 for the first offense, [five hundred dollars] $500 for the second offense and [seven hundred and

fifty dollars] $750 for the third offense and each succeeding offense and shall, upon conviction thereof, be punished by a fine of not less than [two hundred fifty dollars] $250 nor more than [five hundred dollars] $500 for the first offense and for each succeeding offense a fine of not less than [five hundred dollars] $500 nor more than [seven hundred fifty dollars] $750 for each such violation. For the purposes of this section, if on any single day the required signage is not displayed in accordance with section 20-713.1 or regulations promulgated pursuant to this subchapter, it shall be considered a single violation.

§ 4. This local law takes effect 120 days after it becomes law, except that the commissioner of consumer affairs shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Session 12
BM
LS # 7715
4/28/22 12:00pm

Session 11
DCF
S11 LS# 6879/ Int 1189