

MEDICAL SOCIETY
of the
STATE OF NEW YORK

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Division of Governmental Affairs
MEMORANDUM IN SUPPORT

PASSED ASSEMBLY

A.3918 (MCDONALD)

**ON SENATE HEALTH COMMITTEE
AGENDA**

S. 1813 (RIVERA)

**An act to amend the public health law and the education law, in
relation to the dispensing of partially filled prescriptions**

This measure amends the public health law and the education law, in relation to the dispensing of partially filled prescriptions and allows a prescriber to issue a partially filled prescription for a Controlled Substance II, III or IV to the patient. The Medical Society of the State of New York supports this measure.

In 2016, the Medical Society of the State of New York worked with the American Medical Association and other state medical societies across the country to urge Congress to pass legislation that would enable a physician to authorize a “partial fill” of a Controlled Substance II prescription, thereby reducing the likelihood of unused medications being left in medicine cabinets. Called the Comprehensive Addiction and Recovery Act (CARA), it allows for the “partial-fill” prescriptions of opioids. The New York State bill would now aligns its law with what is currently allowed under federal law.

This measure would allow physicians/prescribers, in consultation with their patient, to prescribe up to a 30 day supply of Controlled Schedule II, III, and IV with a notation to the pharmacist that he/she should only dispense the agreed to amount. Each partial filling would be dispensed and recorded in the same manner as a refilling (i.e., date refilled, amount dispensed, initials of dispensing pharmacist, etc.), and the total quantity dispensed in all partial fillings does not exceed the total quantity prescribed.

The Medical Society of the State of New believes that this measure will help to reduce the amount of unused pain medicines, thereby limiting the number of drugs that can be diverted. Estimates from the U.S. Centers for Disease Control indicate that the majority of individuals – up to 70 percent – who misuse or abuse pain medications get them from prescriptions written for friends or family – commonly described as diversion. The Medical Society of the State of New York also believes that this measure will now allow prescribers to help patients balance the need to relieve pain with an adequate supply of medication by only filling part of the prescription. Should they need additional pain relief, patients will be able to return to the pharmacy to fill the remaining portion of their prescription. **For all these reasons, the Medical Society of the State of New York supports this measure and urges that it be passed.**

Respectfully submitted;

Division of Governmental Affairs

PFC/Support
5/27/19