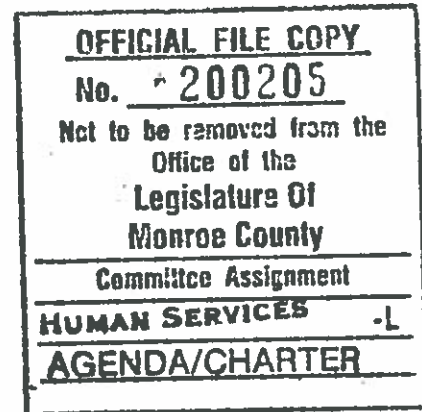


Monroe County Legislature

JUSTIN F. WILCOX
LEGISLATOR - DISTRICT 14

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June 8, 2020



To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Enacting a Local Law Requiring Pharmacies to Provide Notice on the Availability of Naloxone

Honorable Legislators:

In 2019, Monroe County lost 127 residents to an opioid overdose. While our community has made significant efforts to support residents battling opioid addiction, we must continue to remove barriers to treatment and end the stigma associated with this public health crisis.

Opioid antagonists, such as naloxone/Narcan, are effective in neutralizing the effects of an opioid overdose. According to one report on naloxone dosages given by New York State law enforcement officers from 2014 to 2017, 88% of individuals who received naloxone during an opioid overdose survived. Over 100 pharmacies in Monroe County provide this life-saving medicine without a prescription through standing orders pursuant to New York State Public Health Law. It is crucially important that we ensure that the public is made aware that this resource is available to them. Individuals that need or support those who need naloxone may not know this resource is available or may not want to inquire with a pharmacist due to perceived stigma associated with opioid use.

To promote the health and well-being of individuals residing in Monroe County, I propose that this Honorable Body adopt a local law requiring pharmacies in Monroe County that provide naloxone to alert the public that this medicine is available without a prescription. Rather than requiring individuals to request naloxone or other opioid antagonists, the proposed local law would require pharmacies to provide naloxone whenever they first fill an opioid prescription for a customer, unless the customer opts out of receiving naloxone.

The specific legislative actions required is to adopt a local law requiring pharmacies in Monroe County that carry opioid antagonists to provide naloxone or another opioid antagonist to a customer whenever they first fill an opioid prescription for a customer, unless the customer opts out of receiving naloxone or another opioid antagonist.

This local law will have no impact on the revenues or expenditures of the current Monroe County budget. The provisions of the New York State Environmental Quality Review Act shall be complied with prior to this Honorable Body undertaking, funding, or approving the action requested in this referral.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by this Honorable Body.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Justin Wilcox". The signature is fluid and cursive, with the first name "Justin" written in a larger, more prominent script than the last name "Wilcox".

Justin Wilcox
Monroe County Legislator, 14th District

By Legislators

Intro. No. ____

LOCAL LAW NO. __ OF 2020

ENACTING LOCAL LAW ENTITLED “PHARMACIES TO PROVIDE NOTICE ON THE AVAILABILITY OF NALOXONE”

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. Legislative Intent. While our community has made significant efforts to support residents battling opioid addiction, we must continue to remove barriers to treatment and end the stigma associated with this public health crisis.

Opioid antagonists, such as naloxone/Narcan, are effective in neutralizing the effects of an opioid overdose. Over 100 pharmacies in Monroe County provide this life-saving medicine without a prescription through standing orders pursuant to New York State Public Health Law. It is the intent of this local law to ensure that the public is made aware that this resource is available to them.

Section 2. Definitions. The following terms used in this local law shall have the meanings indicated:

1. “Opioid” means an opiate as defined in section 3302 of the Public Health Law.
2. “Opioid antagonist” means a drug approved by the Food and Drug Administration, that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the body. An opioid antagonist is limited to naloxone or other medications approved by the New York State Department of Health for this purpose.
3. “Pharmacy” means a pharmacy registered in accordance with Article 137 of the New York State Education Law.
4. “Standing order” means a non-patient specific prescription to dispense an opioid antagonist to a consumer.

Section 3. Pharmacies to Provide Opioid Antagonists with the Dispensation of an Opioid.

1. All pharmacies within Monroe County that maintain a standing order must provide at least one (1) dose of an opioid antagonist to each individual to whom it dispenses an opioid unless such individual opts-out, in writing, from receiving an opioid antagonist.

2. The provisions of this local law shall not limit the authority of a health care professional to prescribe, dispense or distribute, or of a pharmacist to dispense, an opioid antagonist under any other provision of local, state, or federal law.

Section 4. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. Effective Date. This local law shall take effect in accordance with the provisions of the Municipal Home Rule Law and the Monroe County Charter.

File No. 20-.LL

ADOPTION: Date: _____, 2020

Vote:

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF LOCAL LAW: _____