



NEW YORK STATE SENATOR

Stephen M. Saland

Senator Saland Advocates for Tools to Curb Prescription Drug Abuse and Related Crimes

STEPHEN M. SALAND February 16, 2012

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Series of bills aimed at controlling abuse of prescription medications passes Senate

The Senate has passed legislation sponsored by Senator Steve Saland (R, I, C – Poughkeepsie) and Senator Kemp Hannon that would remedy the legal discrepancies found in current law with respect to the diversion, possession, and prescription of non-controlled substances (S. 5260-C).

Senator Saland, Chair of the Committee on Codes, partnered with Senator Hannon, Chair of the Senate Health Committee, to hear testimony from pharmacists, law enforcement personnel, and the Medicaid Inspector General to examine the penalties associated with the criminal diversion of non-controlled prescription medications. These testimonials made clear the disproportionate penalties associated with these crimes in comparison to those regarding illicit drugs and highlighted the fiscal implications that a black market centering around these potentially injurious substances is having on the Medicaid system.

“The fraudulent sale or possession of prescription drugs is an ever increasing public health phenomenon that puts patients at risk by exposing them to potentially unsafe drugs and takes advantage of taxpayers by fraudulently billing Medicaid and other government

programs,” said Senator Saland. “I’m determined to provide law enforcement with the proper tools to investigate and prosecute these crimes.”

In conjunction with this legislation, Senator Saland worked with Senator Hannon to resolve another legal discrepancy: the absence in the law that currently exists for practitioners and pharmacists who illegally and knowingly dispense controlled substances. This week, the Senate passed S. 6066, which establishes the criminal sale of a controlled substance by a practitioner or pharmacist as a class B felony.

“Prescription drug abuse and the significant consequences it can have with respect to the health, safety, and financial wellbeing of our community has become an ever-increasing concern in recent years,” Senator Saland stated. “Unfortunately, we have seen multiple news reports of violent crimes and premature deaths that have stemmed from individuals trying to obtain prescription medication illegally. The steps taken by my colleagues and I in passing these bills have come in response to mounting public alarm related to the safety of our community members and the costs to consumers and taxpayers regarding this important public health issue.”