



NEW YORK STATE SENATOR

Jack M. Martins

Senator Martins & Assemblywoman Schimel Author New Law Removing Roadblocks For Patients To Obtain Their Prescriptions

[SENATOR JACK M. MARTINS](#) December 5, 2016

| ISSUE: [PRESCRIBED DRUGS OR PRESCRIPTIONS](#)

Senator Jack M. Martins (R-7th Senate District) and Assemblywoman Michelle Schimel (D-16th Assembly District) announced that legislation they sponsored making it easier for residents to fill their prescriptions has been signed into law by Governor Andrew Cuomo. The new law allows residents to transfer an unfilled prescription from one pharmacy to another if their pharmacy is unable to fill it, without being forced to go back to their doctor to reissue the prescription.

“Being unable to transfer an existing prescription from one pharmacy to another without having to go back to a doctor is not only a major hassle, it needlessly delays patients’ from getting their urgently needed medication. Removing this unnecessary barrier will make it easier and more convenient for people to get the medications they need, without compromising security or the patient's health,” said Senator Martins.

“This is my last bill signed into law by the Governor. It is an important one. This law makes sense, especially for Emergency Room and Urgent Care Clinic visits. There is no need for patients and doctors to take more time to reissue an electronic prescription if a pharmacy is unable to fill it,” said Assemblywoman Schimel.

New York State law requires prescriptions to be sent electronically from a doctor to the patient's pharmacy to fill. The law was enacted to help prevent prescription fraud and enhance security. However, it has an unintended consequence; if the pharmacy is unable to fill the initial prescription, patients must go back to their doctor to have the prescription resent to a different pharmacy. They cannot transfer the prescription themselves.

The law authored by Senator Martins and Assemblywoman Schimel removes this unnecessary roadblock. Patients will now be able to transfer their prescriptions to a different pharmacy if the original pharmacy cannot fill it without having to return to their health care provider.

The new law takes effect on February 26, 2017.