



NEW YORK STATE SENATOR

Hugh T. Farley

Sen. Farley Reports Senate Passes Measures to Combat Prescription Drug Fraud and Abuse

HUGH T. FARLEY April 30, 2013

| ISSUE: **PRESCRIBED DRUGS OR PRESCRIPTIONS**



State Senator Hugh T. Farley (R - Schenectady) reported the New York State Senate recently passed two bills that would prevent prescription drug fraud, theft and abuse. The measures address the illegal distribution of controlled substances by helping to reduce the availability of black market prescription forms and prosecuting "pill mills" that issue prescriptions and knowingly dispense controlled substances for profit.

Prescription drug abuse is a growing crisis in New York State and across the country. Overdoses connected to prescription drug abuse have increased significantly and other crimes committed by those addicted to painkillers continue to take a toll on communities. One of the more tragic crimes took place on June 19, 2011, when David Laffer executed four people during a robbery of a drug store in Medford, Suffolk County. He had gone there to steal painkillers and other prescriptions for his wife.

Current state law contains a provision to prosecute physicians who illegally and knowingly prescribe drugs. This statute was used to prosecute one of the doctors who had issued painkillers to the Laffers prior to the Medford pharmacy shooting.

Legislation passed would further curtail the availability of illegal prescription drugs by focusing on other potential suppliers. The bill (S2941) expands upon current law by also making it a crime for a practitioner or pharmacist to unlawfully dispense controlled substances. This will address the small group of practitioners and pharmacists who operate pill mills or fill prescriptions for controlled substances, such as pain medications, other than in good faith in the course of their practice.

Another bill passed (S2940) criminalizes the theft and unlawful possession of a blank official New York state prescription form. The Bureau of Narcotic Enforcement estimates that since 2008, approximately 1.4 million official prescription forms have been stolen from New York City hospitals alone. Current penal laws are insufficient to counter the theft, possession, and sale of blank official prescription forms because authorities cannot prosecute unless someone sells a prescription form.

This bill triggers new criminal penalties whenever someone knowingly and unlawfully possesses a blank official New York state prescription form; someone steals a blank prescription form; or someone possesses a stolen blank prescription form, knows it is stolen,

and intends to benefit from it.

The bills have been sent to the Assembly.