



NEW YORK STATE SENATOR

Fred Akshar

## Senate Passes Legislation to Protect Health of Children and Prevent Addiction

FRED AKSHAR June 10, 2016

| ISSUE: **COMBATING HEROIN AND OPIOID ADDICTION, HEROIN AND OPIOID ADDICTION**



The New York State Senate this week passed two bills to help protect the health and well-being of children by preventing addiction to opioids and nicotine. The bills, sponsored by Senator Fred Akshar (R-C-I, Colesville), require health practitioners treating minors to educate and receive consent from their legal guardian before prescribing opioids and prohibit the free distribution of electronic cigarettes to minors.

Senator Akshar said, "Today, parents face more and more challenges trying to keep their kids

safe. These measures look out for our young people and give parents some much-needed assistance in preventing addiction early.”

One of the measures (S7337) addresses the increasing risk of children becoming addicted to opioids and heroin after being prescribed painkillers for medical procedures or illegally sharing extra prescriptions. The bill requires a health practitioner to receive written consent from a minor’s parent or legal guardian in order to prescribe a medical treatment containing opioids, as well as to discuss the risks of addiction and dangers of overdose associated with the medication.

The bill also limits the prescription for a controlled substance containing an opioid to a seven-day duration unless there is a medical emergency that puts the child’s health or safety at risk. This legislation is part of the Senate’s comprehensive approach to fighting the ongoing heroin and opioid addiction crisis.

“We need to attack the heroin and opioid epidemic from every angle, and successfully preventing addiction before it starts is always the best scenario,” said Senator Akshar. “My bill requires written parental consent for opioid prescriptions and allows no more than a seven-day prescription. The goal is to help parents stay engaged in their children’s healthcare, especially when it comes to opioids for injuries or other ailments. I’ve heard from stakeholders at roundtable meetings around our district and time after time, I’ve heard parents recount how their children’s addictions arose from being prescribed opioids after injuries or surgeries.”

The other bill (S6978) would prohibit the free distribution of electronic cigarettes to minors. According to the U.S. Centers for Disease Control Prevention, the use of e-cigarettes has nearly tripled in just one year’s time. While electronic cigarettes do not contain tobacco,

they contain nicotine which has been proven to be addictive, have negative effects on working memory, cause attention issues, and create cognitive and behavioral impairments on youth.

Currently, the State's public health law does not specifically include electronic cigarettes in the distribution of tobacco products without charge to minors, despite it being illegal to sell electronic cigarettes to those under 18 years old. This loophole allows manufacturers to distribute free samples of electronic cigarettes to minors, especially at events like music festivals. This legislation requires that the distribution or sale of electronic cigarettes must be made only to an individual who can demonstrate, through a driver's license or other form of a government or educational institution issued photo identification, that they are at least 18 years old.

"Letting manufacturers utilize a loophole in the law to give e-cigarettes to minors is unacceptable," Senator Akshar. "This legislation expressly adds electronic cigarettes to current law prohibiting the distribution of free tobacco products to minors. It's important to protect our young people from the dangers of any type of smoking and to ensure that predatory companies don't take advantage of them at social gatherings like music festivals or other events."

The bills have been sent to the Assembly.

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RELATED LEGISLATION

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**2015-S7337**

- 
- Introduced
  - - In Committee Assembly
    - In Committee Senate
  - - On Floor Calendar Assembly
    - On Floor Calendar Senate
  - - Passed Assembly
    - Passed Senate
  - Delivered to Governor
  - Signed By Governor
  -

Relates to prescribing opioids to a minor

April 15, 2016

In Assembly Committee

Sponsored by **Fred Akshar**

Do you support this bill?

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**2015-S6978**

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- Introduced
  - In Committee Assembly
    - In Committee Senate
  - On Floor Calendar Assembly
    - On Floor Calendar Senate
  - Passed Assembly
    - Passed Senate
- Delivered to Governor
- Signed By Governor
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Relates to prohibiting the distribution without charge of electronic cigarettes to minors

March 11, 2016

In Assembly Committee

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Do you support this bill?