



CHAIRMAN'S MEMORANDUM NO. 18-99 NOVEMBER 1, 1999

**TO: SHERIFFS, JAIL ADMINISTRATORS, COMMISSIONERS OF CORRECTION,
COUNTY FACILITY MEDICAL DIRECTORS, TRAINING COORDINATORS**

RE: STORAGE AND DELIVERY OF CONTROLLED SUBSTANCES

As you may know, it has been common practice to maintain medication prescribed for inmates and dispensed by vendor pharmacies in centralized secure locations within county correctional facilities and to deliver that medication, dose by dose, at the prescribed times to the inmates for whom it is intended. Until recently this policy was interpreted to include controlled substances.

Pursuant to the direction of the New York State Department of Health, Bureau of Controlled Substances, county correctional facilities will no longer be able to store and deliver lawfully dispensed controlled substances to the named inmates for whom they are prescribed without a license from the Bureau of Controlled Substances.

This change involves only controlled substances. Storage and delivery of other prescription drugs are not affected. We are informed that the exemption for incidental possession of these drugs by public officials under section 3305 of the Public Health Law does not exempt correctional facility officials from licensure requirements.

Completion of the enclosed application and submission to the Bureau of Controlled Substances should result in licensure by the Bureau to allow for the possession (storage) and administration/delivery of individual units of medication to inmates as prescribed.

The Commission encourages all county correctional administrators to apply without delay. Please find an application enclosed. Should you have questions or comments, or require assistance, please contact the Commission's Forensic Medical Unit at (518) 485-2346.

Alan J. Croce, Chairman/Commissioner

cc: James Giglio, Director
Bureau of Controlled Substances

New York State Commission of Correction
4 Tower Place
Albany, New York 12203-3702
(518) 485-2346

Alan J. Croce, Chairman/Commissioner

Patricia R. Tappan, Commissioner
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