

REFERENCE TITLE: pharmacists; dispensing authority; hormonal contraceptives

State of Arizona
Senate
Fifty-fourth Legislature
Second Regular Session
2020

SB 1493

Introduced by

Senators Ugenti-Rita: Bradley, Brophy McGee, Carter, Kerr, Livingston,
Pace, Pratt, Steele; Representatives Butler, Cook, Grantham, Payne, Shope,
Thorpe, Toma, Townsend, Udall

AN ACT

AMENDING TITLE 32, CHAPTER 18, ARTICLE 3, ARIZONA REVISED STATUTES, BY
ADDING SECTION 32-1979.01; RELATING TO THE ARIZONA STATE BOARD OF
PHARMACY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 32, chapter 18, article 3, Arizona Revised
3 Statutes, is amended by adding section 32-1979.01, to read:

4 32-1979.01. Self-administered hormonal contraceptives;
5 requirements; immunity; definition

6 A. A PHARMACIST MAY DISPENSE A SELF-ADMINISTERED HORMONAL
7 CONTRACEPTIVE TO A PATIENT WHO IS EIGHTEEN YEARS OF AGE OR OLDER PURSUANT
8 TO A STANDING PRESCRIPTION DRUG ORDER MADE IN ACCORDANCE WITH SUBSECTION B
9 OF THIS SECTION AND WITHOUT ANY OTHER PATIENT-SPECIFIC PRESCRIPTION DRUG
10 ORDER.

11 B. A PRESCRIBER WHO IS LICENSED TO PRESCRIBE A SELF-ADMINISTERED
12 HORMONAL CONTRACEPTIVE, INCLUDING A PERSON ACTING IN THE PRESCRIBER'S
13 CAPACITY AS AN EMPLOYEE OF THE DEPARTMENT OF HEALTH SERVICES, MAY ISSUE A
14 STANDING PRESCRIPTION DRUG ORDER AUTHORIZING THE DISPENSING OF A
15 SELF-ADMINISTERED HORMONAL CONTRACEPTIVE.

16 C. THE BOARD, IN CONJUNCTION WITH THE DEPARTMENT OF HEALTH SERVICES
17 AND IN CONSULTATION WITH A NATIONAL PROFESSIONAL ORGANIZATION SPECIALIZING
18 IN OBSTETRICS AND GYNECOLOGY, SHALL ADOPT RULES TO ESTABLISH STANDARD
19 PROCEDURES FOR PHARMACISTS TO DISPENSE SELF-ADMINISTERED HORMONAL
20 CONTRACEPTIVES PURSUANT TO THIS SECTION. THE STANDARD PROCEDURES SHALL
21 REQUIRE A PHARMACIST TO DO BOTH OF THE FOLLOWING:

22 1. OBTAIN A COMPLETED NATIONALLY RECOGNIZED SELF-SCREENING RISK
23 ASSESSMENT FROM EACH PATIENT BEFORE DISPENSING THE SELF-ADMINISTERED
24 HORMONAL CONTRACEPTIVE TO THE PATIENT.

25 2. PROVIDE THE PATIENT WITH INFORMATION ABOUT THE SELF-ADMINISTERED
26 HORMONAL CONTRACEPTIVE THAT IS DISPENSED TO THE PATIENT.

27 D. A PHARMACIST OR PRESCRIBER ACTING REASONABLY AND IN GOOD FAITH
28 IN DISPENSING OR PRESCRIBING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE
29 PURSUANT TO THIS SECTION IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR
30 OMISSIONS RESULTING FROM DISPENSING THAT SELF-ADMINISTERED HORMONAL
31 CONTRACEPTIVE.

32 E. ALL STATE AND FEDERAL LAWS GOVERNING INSURANCE COVERAGE OF
33 CONTRACEPTIVE DRUGS, DEVICES, PRODUCTS AND SERVICES APPLY TO
34 SELF-ADMINISTERED HORMONAL CONTRACEPTIVES THAT ARE PRESCRIBED AND
35 DISPENSED PURSUANT TO THIS SECTION.

36 F. THIS SECTION DOES NOT APPLY TO A VALID PATIENT-SPECIFIC
37 PRESCRIPTION FOR A HORMONAL CONTRACEPTIVE THAT IS ISSUED BY AN AUTHORIZED
38 PRESCRIBER AND DISPENSED BY A PHARMACIST PURSUANT TO THAT VALID
39 PRESCRIPTION.

40 G. FOR THE PURPOSES OF THIS SECTION, "SELF-ADMINISTERED HORMONAL
41 CONTRACEPTIVE":

42 1. MEANS A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE THAT IS
43 APPROVED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION TO PREVENT
44 PREGNANCY.

45 2. INCLUDES AN ORAL HORMONAL CONTRACEPTIVE, A HORMONAL
46 CONTRACEPTIVE VAGINAL RING AND A HORMONAL CONTRACEPTIVE PATCH.