

House Engrossed Senate Bill

pharmacists; dispensing authority; hormonal contraceptives

State of Arizona
Senate
Fifty-fifth Legislature
First Regular Session
2021

CHAPTER 429

SENATE BILL 1082

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; rules; immunity; definition

6 A. A PHARMACIST MAY DISPENSE A SELF-ADMINISTERED HORMONAL
7 CONTRACEPTIVE TO A PATIENT WHO IS AT LEAST EIGHTEEN YEARS OF AGE 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 OR A COUNTY
14 HEALTH DEPARTMENT, MAY ISSUE A STANDING PRESCRIPTION DRUG ORDER
15 AUTHORIZING THE DISPENSING OF A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE.
16 THIS SUBSECTION DOES NOT CREATE A DUTY TO ACT OR STANDARD OF CARE FOR AN
17 EMPLOYEE OF THE DEPARTMENT OF HEALTH SERVICES TO ISSUE A STANDING ORDER
18 FOR A HORMONAL CONTRACEPTIVE.

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

25 1. OBTAIN A COMPLETED NATIONALLY RECOGNIZED SELF-SCREENING RISK
26 ASSESSMENT FROM EACH PATIENT BEFORE DISPENSING THE SELF-ADMINISTERED
27 HORMONAL CONTRACEPTIVE TO THE PATIENT.

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

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

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

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

43 G. FOR THE PURPOSES OF THIS SECTION:

44 1. "PRIMARY CARE PROVIDER" MEANS A PHYSICIAN WHO IS LICENSED
45 PURSUANT TO CHAPTER 13, 14 OR 17 OF THIS TITLE, A NURSE PRACTITIONER WHO

1 IS LICENSED PURSUANT TO CHAPTER 15 OF THIS TITLE OR A PHYSICIAN ASSISTANT
2 WHO IS LICENSED PURSUANT TO CHAPTER 25 OF THIS TITLE.

3 2. "SELF-ADMINISTERED HORMONAL CONTRACEPTIVE":

4 (a) MEANS A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE THAT IS
5 APPROVED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION TO PREVENT
6 PREGNANCY.

7 (b) INCLUDES AN ORAL HORMONAL CONTRACEPTIVE, A HORMONAL
8 CONTRACEPTIVE VAGINAL RING AND A HORMONAL CONTRACEPTIVE PATCH.

APPROVED BY THE GOVERNOR JULY 9, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 9, 2021.