

House Engrossed Senate Bill

pharmacists; dispensing authority; hormonal contraceptives

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

# **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.