



ARIZONA STATE SENATE
Fifty-Fifth Legislature, First Regular Session

AMENDED
FACT SHEET FOR S.B. 1082

pharmacists; dispensing authority; hormonal contraceptives

Purpose

Permits a pharmacist to dispense a self-administered hormonal contraceptive under a standing prescription drug order and establishes dispensing and rulemaking requirements.

Background

The Arizona State Board of Pharmacy (Board) regulates the practice of pharmacy and the distribution, sale and storage of prescription medications, prescriptive devices and nonprescription medications ([A.R.S. § 32-1904](#)).

A *standing order* is a signed prescription order that authorizes a pharmacist to dispense naloxone hydrochloride or any other opioid antagonist for emergency purposes and that is issued by a licensed medical practitioner. Statute permits pharmacists to dispense, pursuant to a standing order, naloxone hydrochloride or any other opioid antagonist that is approved by the Food and Drug Administration (FDA) to a person who is at risk of experiencing an opioid-related overdose or to a family member or community member who is in a position to assist that person, consistent with protocols specified by Board rules (A.R.S. §§ [32-1968](#); [32-1979](#); and [36-2266](#)).

On November 11, 2017, the Director of the Department of Health Services (DHS) issued a standing order that allows any Arizona-licensed pharmacist to dispense one of the three forms of naloxone to any individual without a prescription. The DHS standing order was reissued on November 7, 2018 ([DHS](#)).

In 2010, the U.S. Centers for Disease Control and Prevention published the first U.S. Medical Eligibility Criteria for Contraceptive Use (U.S. MEC) to provide recommendations on safe use of contraceptive methods for women with various medical conditions and other characteristics. The U.S. MEC was updated in 2016 to assist health care providers in counseling women, men and couples about contraceptive method choice and to include additional recommendations ([CDC](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Allows a pharmacist to dispense a self-administered hormonal contraceptive to a patient who is at least 18 years old pursuant to a qualifying standing prescription drug order without any other patient-specific prescription drug order.

2. Allows a prescriber licensed to prescribe a self-administered hormonal contraceptive, including an employee of DHS or a county health department acting in a prescriber's capacity, to issue a standing prescription drug order authorizing the dispensing of a self-administered hormonal contraceptive.
3. Specifies that an employee of DHS is not subject to a duty to act or standard of care to issue a standing order for a hormonal contraceptive.
4. Requires the Board to adopt rules establishing standard procedures for pharmacists to dispense self-administered hormonal contraceptives, in conjunction with DHS and a national professional organization specializing in obstetrics and gynecology.
5. Requires the standard procedures established through Board rule to require a pharmacist to:
 - a) obtain a nationally recognized self-screening risk assessment from each patient before dispensing the self-administered hormonal contraceptive; and
 - b) provide each patient with information about the self-administered hormonal contraceptive dispensed.
6. Deems a pharmacist or prescriber acting reasonably and in good faith not liable for any civil damages for acts or omissions resulting from dispensing a self-administered hormonal contraceptive.
7. Applies all state and federal laws governing insurance coverage of contraceptive drugs, devices, products and services to prescribed and dispensed self-administered hormonal contraceptives.
8. Excludes valid patient-specific prescriptions for hormonal contraceptives that are issued by authorized prescribers and dispensed by a pharmacist from the aforementioned requirements.
9. Defines *self-administered hormonal contraceptive* as a self-administered hormonal contraceptive that approved by the FDA to prevent pregnancy that includes an oral hormonal contraceptive, a hormonal contraceptive vaginal ring and a hormonal contraceptive patch.
10. Defines *primary care provider* as a licensed physician, nurse practitioner or physician assistant.
11. Becomes effective on the general effective date.

Amendments Adopted by the House of Representatives

- Defines *primary care provider*.

Senate Action

HHS 2/18/21 DP 5-3-0
3rd Read 2/23/21 23-7-0

House Action

HHS 3/8/21 DP 5-3-1-0
3rd Read 6/28/21 33-24-3