

HOUSE SUBSTITUTE AMENDMENT NO. __ FOR
HOUSE _____ AMENDMENT NO. __

Offered By

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 754,
2 Page 93, Section 337.739, Line 39 by inserting after all of said line the following:

3
4 “338.014. 1. Upon receipt of a valid, lawful prescription for a contraceptive, a pharmacy
5 and its employees have a duty to dispense the contraceptive, or a suitable alternative permitted by
6 the health care provider who issued the prescription, to the patient or the patient's agent without
7 delay, consistent with the normal time frame for filling any other prescription. If the contraceptive
8 or suitable alternative is not in stock, the pharmacy must obtain the contraceptive under the
9 pharmacy's standard procedures for ordering contraceptive drugs not in stock, including the
10 procedures of any entity that is affiliated with, owns, or franchises the pharmacy. However, if the
11 patient prefers, the prescription must either be transferred to a local pharmacy of the patient's
12 choice or returned to the patient, as the patient directs.

13 2. For purposes of subsection 1 of this section, the term "contraceptive" shall refer to all
14 drugs or devices approved for sale by the federal Food and Drug Administration to prevent
15 pregnancy.

16 3. Nothing in subsection 1 of this section shall interfere with a pharmacist's screening for
17 potential drug therapy problems due to therapeutic duplication, drug-disease contraindications,
18 drug-drug interactions, including serious interactions with nonprescription or over-the-counter
19 drugs, drug food interactions, incorrect drug dosage or duration of drug treatment, drug-allergy
20 interactions, or clinical abuse or misuse.

21 4. A pharmacy has a duty to treat each customer in a non-judgmental manner and ensure

1 that each customer is not subjected to indignity, humiliation, breaches of confidentiality, or
2 pressure to fill or not to fill the prescription. The provisions of this subsection are applicable to
3 emergency contraception sold over the counter to persons of legal age.

4 5. A pharmacy shall also assure that persons of legal age purchasing emergency
5 contraception over the counter are promptly served, consistent with the normal time frame for in-
6 store nonprescription purchases stored in a like manner.

7 6. Violation of the provisions of this section shall subject the licensed pharmacy to
8 disciplinary action under section 338.055.”; and

9
10 Further amend said bill by amending the title, enacting clause, and intersectional references
11 accordingly.
12