

SECOND REGULAR SESSION

HOUSE BILL NO. 1837

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE RHOADS.

5614H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 338.202, RSMo, and to enact in lieu thereof one new section relating to maintenance medications.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 338.202, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 338.202, to read as follows:

338.202. 1. Notwithstanding any other provision of law to the contrary, unless the prescriber has specified on the prescription that dispensing a prescription for a maintenance medication in an initial amount followed by periodic refills is medically necessary, a pharmacist may exercise his or her professional judgment to dispense varying quantities of maintenance medication per fill, up to the total number of dosage units as authorized by the prescriber on the original prescription, including any refills. Dispensing of the maintenance medication based on refills authorized by the physician or prescriber on the prescription shall be limited to no more than a ~~[ninety-day]~~ **one-hundred-eighty-day** supply of the medication~~[-and the maintenance medication shall have been previously prescribed to the patient for at least a three-month period]~~, **except that no health carrier, as defined in section 376.1350, shall be required under this section to cover more than a ninety-day supply of maintenance medication.**

2. For the purposes of this section, "maintenance medication" is and means a medication prescribed for chronic, long-term conditions and that is taken on a regular, recurring basis; except that, it shall not include controlled substances, as defined in and under section 195.010.

3. **The supply limitations provided in this section shall not apply if:**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 **(1) The prescription is issued by a prescriber located in another state according to**
17 **and in compliance with the applicable laws of that state and the United States and is**
18 **dispensed to a patient in another state; or**

19 **(2) The prescription is dispensed directly to a member of the United States Armed**
20 **Forces serving outside the United States.**

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