

FIRST REGULAR SESSION

# HOUSE BILL NO. 812

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE STEPHENS.

1987H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 338, RSMo, by adding thereto one new section relating to accessible prescription labels.

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

Section A. Chapter 338, RSMo, is amended by adding thereto one new section, to be known as section 338.088, to read as follows:

**338.088. 1. The provisions of this section shall be known and may be cited as the "Accessible Prescription Labels Act".**

**2. For purposes of this section, the term "prescription reader" means a device that is designed to audibly convey the information contained on the label of a prescription drug.**

**3. A pharmacy shall notify each person to whom a prescription drug is dispensed that an accessible prescription label is available to the person upon request at no additional cost.**

**4. If a person informs a pharmacy that the person identifies as a person who is blind, visually impaired, or otherwise print-disabled, the pharmacy shall provide to the person an accessible prescription label affixed to the bottle that:**

**(1) Is available to the person in a timely manner comparable to wait times for other patients and lasts for at least the duration of the prescription;**

**(2) Is appropriate to the disability and preference of the person making the request through use of audible, large print, or Braille labels;**

**(3) Conforms to the format-specific best practices established by the Architectural and Transportation Barriers Compliance Board; and**

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.

18           **(4) Contains all the label information required by state statute and federal law,**  
19 **including cautions and warnings, and any information available to sighted persons**  
20 **reading printed labels.**

21           **5. If a pharmacy provides a prescription reader to comply with the provisions of**  
22 **this section, the pharmacy shall ensure that the prescription label is compatible with the**  
23 **prescription reader.**

24           **6. The board of pharmacy shall promulgate regulations necessary to implement**  
25 **this section. Any rule or portion of a rule, as that term is defined in section 536.010, that**  
26 **is created under the authority delegated in this section shall become effective only if it**  
27 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**  
28 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**  
29 **vested with the general assembly pursuant to chapter 536 to review, to delay the**  
30 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**  
31 **then the grant of rulemaking authority and any rule proposed or adopted after August**  
32 **28, 2023, shall be invalid and void.**

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