

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 1195

STATE OF NEW JERSEY

DATED: MAY 11, 2006

The Senate Health, Human Services and Senior Citizens Committee reports favorably a Senate Committee Substitute for Senate Bill No. 1195.

This substitute establishes a pharmacy's duty to properly fill lawful prescriptions for prescription drugs or devices that it carries for customers, without undue delay, despite any conflicts of employees to filling a prescription and dispensing a particular prescription drug or device due to sincerely held moral, philosophical or religious beliefs. It is the sponsor's intent that this substitute ensure seamless and respectful access to prescription services to customers.

The substitute specifically provides that if a pharmacy practice site does not have in stock a prescription drug or device that it carries, and a patient presents a prescription for that drug or device, the pharmacy practice site shall offer:

- to obtain the drug or device under its standard expedited ordering procedures; or
- to locate a pharmacy of the patient's choice that has the drug or device in stock and transfer the prescription there in accordance with the pharmacy practice site's standard procedures.

The pharmacy practice site shall perform the patient's chosen option without delay, and if the patient requests, the pharmacy shall return an unfilled prescription to the patient.

Finally, a person who believes that a violation of these provisions has occurred may report the violation to the New Jersey State Board of Pharmacy.