

# ASSEMBLY HEALTH AND SENIOR SERVICES COMMITTEE

## STATEMENT TO

[First Reprint]

### SENATE COMMITTEE SUBSTITUTE FOR SENATE, No. 1195

# STATE OF NEW JERSEY

DATED: OCTOBER 19, 2006

The Assembly Health and Senior Services Committee reports favorably the Senate Committee Substitute for Senate Bill No. 1195 (1R).

This bill 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.

The bill 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 that is reasonably accessible and 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.

As reported by the committee, this bill is identical to the Assembly Committee Substitute for Assembly Bill No. 992 (Stender/Cohen/Green), which the committee also reported on this date.