

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

**STATE OF NEW JERSEY**  
**212th LEGISLATURE**

ADOPTED MAY 11, 2006

**Sponsored by:**

**Senator FRED H. MADDEN, JR.**  
**District 4 (Camden and Gloucester)**  
**Senator JOSEPH F. VITALE**  
**District 19 (Middlesex)**

**Co-Sponsored by:**

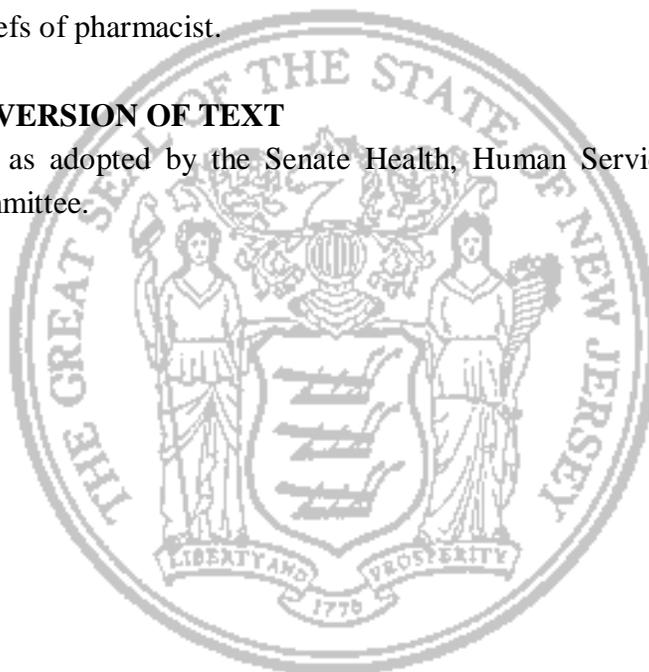
**Senators Buono, Turner, Weinberg, Karcher and Sarlo**

**SYNOPSIS**

Establishes pharmacy's duty to fill prescriptions for in-stock drugs or devices without delay, notwithstanding sincerely held moral, philosophical or religious beliefs of pharmacist.

**CURRENT VERSION OF TEXT**

Substitute as adopted by the Senate Health, Human Services and Senior Citizens Committee.



**(Sponsorship Updated As Of: 6/23/2006)**

1 AN ACT concerning the dispensing of medications and  
2 supplementing P.L.2003, c.280 (C.45:14-40 et seq.).

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. a. A pharmacy practice site has a duty to properly fill lawful  
8 prescriptions for prescription drugs or devices that it carries for  
9 customers, without undue delay, despite any conflicts of employees  
10 to filling a prescription and dispensing a particular prescription drug  
11 or device due to sincerely held moral, philosophical or religious  
12 beliefs.

13 b. If a pharmacy practice site does not have in stock a  
14 prescription drug or device that it carries, and a patient presents a  
15 prescription for that drug or device, the pharmacy practice site shall  
16 offer:

17 (1) to obtain the drug or device under its standard expedited  
18 ordering procedures; or

19 (2) to locate a pharmacy of the patient's choice that has the drug  
20 or device in stock and transfer the prescription there in accordance  
21 with the pharmacy practice site's standard procedures.

22 The pharmacy practice site shall perform the patient's chosen  
23 option without delay. If the patient so requests, the pharmacist shall  
24 return an unfilled prescription to the patient.

25 c. A person who believes that a violation of this section has  
26 occurred may report the violation to the New Jersey State Board of  
27 Pharmacy.

28

29 2. This act shall take effect immediately.