

ASSEMBLY, No. 2656

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Requires retail pharmacies to stock and dispense emergency contraception.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning dispensing certain prescription drugs in
2 pharmacies and amending P.L.2003, c.280.

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

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7 1. Section 30 of P.L.2003, c.280 (C.45:14-69) is amended to
8 read as follows:

9 30. a. All pharmacy practice sites in this State, which engage in
10 the practice of pharmacy in the State of New Jersey, shall be issued
11 a permit by the board, and shall annually renew their permit with
12 the board. If operations are conducted at more than one location,
13 each location shall be issued a permit by the board for the
14 dispensing of medicine.

15 b. The board may determine by rule or regulation the permit
16 classifications of all pharmacy practice sites issued a permit under
17 this act, and establish minimum standards for pharmacy practice
18 sites.

19 c. The board shall establish by rule or regulation the criteria
20 which each site shall meet to qualify for a permit in each
21 classification. The board may issue permits with varying
22 restrictions to pharmacy practice sites if the board deems it
23 necessary.

24 d. Each holder of a pharmacy practice site permit shall ensure
25 that a licensed pharmacist be immediately available on the premises
26 to provide pharmacy services at all times the pharmacy practice site
27 is open.

28 e. Each pharmacy practice site shall have a pharmacist-in-
29 charge. The pharmacist-in-charge and the owner of a pharmacy
30 practice site shall be responsible for any violation of any laws or
31 regulations pertaining to the practice of pharmacy.

32 f. The board may enter into agreements with other states or
33 with third parties for the purpose of exchanging information
34 concerning the granting of permits and the inspection of pharmacy
35 practice sites located in this State and those located outside this
36 State.

37 g. The board may deny, suspend, revoke, restrict or refuse to
38 renew a permit for a pharmacy practice site that does not comply
39 with the provisions of this act or any rule or regulation promulgated
40 pursuant to this act.

41 h. Each retail pharmacy site shall stock emergency
42 contraception in pill form and sell or dispense the prescription drug,
43 as applicable, to any person in accordance with federal Food and
44 Drug Administration regulations.

45 (cf: P.L.2003, c.280, s.30)

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 2. This act shall take effect on the 30th day after enactment.

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STATEMENT

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6 This bill amends the "New Jersey Pharmacy Practice Act," to
7 require retail pharmacies to stock emergency contraception (EC) in
8 pill form and sell or dispense the prescription drug, as applicable, to
9 any person in accordance with federal Food and Drug
10 Administration regulations.

11 The federal Food and Drug Administration has approved the sale
12 of EC without a prescription to persons 17 years of age and older.
13 For women 16 years of age and younger, a prescription for EC is
14 still be required.

15 EC, also called postcoital contraception, is used to keep a woman
16 from getting pregnant when she has had unprotected vaginal
17 intercourse. "Unprotected" can mean that no method of birth
18 control was used, a birth control method was used but did not work
19 or the woman may have been abused or forced to have sex when she
20 did not want to. EC has been available for more than 25 years and
21 is a safe and effective method of contraception.

22 The federal Office on Women's Health of the U.S. Department of
23 Health and Human Services states that EC cannot end a pregnancy;
24 it keeps a woman from getting pregnant by stopping ovulation
25 (stopping the ovaries from releasing eggs that can be fertilized),
26 fertilization (stopping the egg from being fertilized by the sperm) or
27 implantation (stopping a fertilized egg from attaching itself to the
28 wall of the uterus). EC pills are typically taken in two doses, 12
29 hours apart, and work best if taken within 72 hours of unprotected
30 vaginal intercourse.

31 Timing is important as to how well EC works; the sooner a
32 woman gets the EC after unprotected vaginal intercourse, the better
33 it works. In order to ensure that women in this State can readily
34 access EC, this bill, therefore, requires all retail pharmacies in the
35 State to stock the medication and dispense it to any person upon
36 presentation of a valid prescription.