

ASSEMBLY, No. 3302

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Allows pharmacists to prescribe and dispense self-administered hormonal contraceptives under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



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

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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. a. In accordance with rules adopted by the Board of
8 Pharmacy pursuant to subsection b. of this section, a pharmacist
9 may prescribe and dispense self-administered hormonal
10 contraceptives to a person who is:

11 (1) 18 years of age or older, regardless of whether the person
12 has evidence of a previous prescription from a practitioner for a
13 self-administered hormonal contraceptive; or

14 (2) under 18 years of age, provided that the person has evidence
15 of a previous prescription from a practitioner for a self-administered
16 hormonal contraceptive.

17 b. The board shall, pursuant to the “Administrative Procedure
18 Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), and in consultation with
19 the State Board of Medical Examiners and the Board of Nursing and
20 in consideration of guidelines established by the American
21 Congress of Obstetricians and Gynecologists, adopt rules to
22 establish standard procedures for the prescribing of self-
23 administered hormonal contraceptives by pharmacists. The rules
24 adopted pursuant to this subsection shall require a pharmacist to:

25 (1) Complete a training program approved by the board that is
26 related to prescribing self-administered hormonal contraceptives;

27 (2) Provide a self-screening risk assessment tool that shall be
28 used by a person prior to the pharmacist prescribing and dispensing
29 a self-administered hormonal contraceptive to the person;

30 (3) Upon prescribing and dispensing a self-administered
31 hormonal contraceptive, refer the person to the person’s primary
32 care provider or to an appropriate medical clinic and provide the
33 person with a written record of the contraceptive prescribed and
34 dispensed; and

35 (4) Dispense self-administered hormonal contraceptives as soon
36 as practicable after issuing a prescription.

37 c. A pharmacist authorized to prescribe and dispense self-
38 administered hormonal contraceptives pursuant to this section shall
39 not:

40 (1) Require any person to schedule an appointment with the
41 pharmacist for the prescribing or dispensing of a self-administered
42 hormonal contraceptive; or

43 (2) Prescribe and dispense a self-administered hormonal
44 contraceptive to a person who does not provide evidence of having
45 attended a clinical visit for women’s health within the three years
46 immediately following the date a self-administered hormonal
47 contraceptive was initially prescribed and dispensed to the person
48 by a pharmacist pursuant to this section.

1 d. All laws governing insurance coverage of contraceptive
2 drugs, devices, products, and services shall apply to self-
3 administered hormonal contraceptives prescribed by a pharmacist
4 pursuant to this section.

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6 2. This act shall take effect on the first day of the fourth month
7 next following the date of enactment, except that the Board of
8 Pharmacy may take any administrative action in advance thereof as
9 shall be necessary for the implementation of this act.

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12 STATEMENT

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14 This bill permits pharmacists to prescribe and dispense self-
15 administered hormonal contraceptives pursuant to standard
16 procedures to be established by the State Board of Pharmacy
17 (Board) by regulation. These standard procedures are to be
18 developed in consultation with the State Board of Medical
19 Examiners and the Board of Nursing and in consideration of
20 guidelines established by the American Congress of Obstetricians
21 and Gynecologists.

22 Specifically, in order to prescribe and dispense self-administered
23 hormonal contraceptives to a person under the bill, a pharmacist
24 will be required to have completed a training program approved by
25 the Board; provide a self-screening risk assessment tool that is to be
26 used by a person seeking a self-administered hormonal
27 contraceptive prior to issuance of a prescription; upon issuing and
28 dispensing a self-administered hormonal contraceptive to a person,
29 refer the person to the person's primary care provider or an
30 appropriate medical clinic and provide the person with a written
31 record of the contraceptive prescribed and dispensed; and dispense
32 prescribed contraceptives as soon as practicable after issuance of a
33 prescription.

34 Pharmacists authorized to prescribe and dispense self-
35 administered hormonal contraceptives under the bill will not be
36 permitted to require any person to make an appointment to have a
37 self-administered hormonal contraceptive prescribed and dispensed,
38 and will not be permitted to prescribe and dispense a self-
39 administered hormonal contraceptive to a person unless the person
40 provides evidence of having attended a clinical visit for women's
41 health within the three years immediately following the date a self-
42 administered hormonal contraceptive was initially prescribed and
43 dispensed to the person by a pharmacist pursuant to the bill.

44 Pharmacists will be permitted to prescribe and dispense self-
45 administered hormonal contraceptives to persons who are 18 years
46 of age or older regardless of whether the person has evidence of a
47 previous prescription from a practitioner for a self-administered
48 hormonal contraceptive, and to persons who are under 18 years of

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1 age who have evidence of a previous prescription from a
2 practitioner for a self-administered hormonal contraceptive.

3 The bill requires that all laws governing insurance coverage of
4 contraceptive drugs, devices, products, and services will apply to
5 self-administered hormonal contraceptives prescribed by a
6 pharmacist pursuant to the bill.

7 This bill is similar to legislation recently enacted in California
8 and Oregon.