

SENATE, No. 1084

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JANUARY 30, 2020

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

SYNOPSIS

Permits pharmacists to provide self-administered hormonal contraceptives to patients over the counter.

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.).

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. a. Notwithstanding any other law to the contrary, a
8 pharmacist may furnish self-administered hormonal contraceptives
9 in accordance with rules adopted by the Board of Pharmacy
10 pursuant to subsection b. of this section.

11 b. The Board of Pharmacy shall, pursuant to the
12 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et
13 seq.), and in consultation with the State Board of Medical
14 Examiners and in consideration of guidelines established by the
15 American Congress of Obstetricians and Gynecologists, adopt rules
16 to establish standard procedures for the furnishing of self-
17 administered hormonal contraceptives by pharmacists. These
18 procedures shall require pharmacists to:

19 (1) prior to providing a person with a self-administered
20 hormonal contraceptive, require the person to use a self-screening
21 tool that identifies patient risk factors for the use of self-
22 administered hormonal contraceptives, based on the current United
23 States Medical Eligibility Criteria (US MEC) for Contraceptive Use
24 developed by the federal Centers for Disease Control and
25 Prevention;

26 (2) offer to provide the person with counseling regarding other
27 forms of contraception approved by the federal Food and Drug
28 Administration; if the person accepts such offer of counseling or
29 otherwise requests counseling on other forms of contraception, the
30 pharmacist may include any information specific to the person as
31 may be appropriate based on the results of the self-screening tool;
32 and

33 (3) upon furnishing a self-administered hormonal contraceptive
34 or determining that a self-administered hormonal contraceptive is
35 not recommended, refer the person to the person’s primary care
36 provider or to an appropriate medical clinic.

37 c. Nothing in this section shall be construed to expand the
38 authority of a pharmacist to prescribe prescription medications.

39 d. As used in this section, “self-administered hormonal
40 contraceptives” shall include oral, transdermal, and vaginal
41 contraceptive products.

42
43 2. This act shall take effect on the first day of the fourth month
44 next following the date of enactment, except that the Board of
45 Pharmacy may take any administrative action in advance thereof as
46 shall be necessary for the implementation of this act.

STATEMENT

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3 This bill permits pharmacists to furnish self-administered
4 hormonal contraceptives pursuant to procedures adopted by the
5 Board of Pharmacy (Board). These procedures are to be established
6 by rule pursuant to the “Administrative Procedure Act,” in
7 consultation with the State Board of Medical Examiners and in
8 consideration of guidelines established by the American Congress
9 of Obstetricians and Gynecologists. Self-administered hormonal
10 contraceptives will include oral, transdermal, and vaginal
11 contraceptive products.

12 Specifically, pharmacists will be required, prior to providing a
13 person with a self-administered hormonal contraceptive, to require
14 the person to use a self-screening tool that identifies patient risk
15 factors for the use of self-administered hormonal contraceptives.
16 Pharmacists will also be required to offer counseling to the person
17 regarding other forms of contraception approved by the federal
18 Food and Drug Administration; if the person accepts or requests
19 this counseling, the counseling is to include appropriate information
20 specific to the person based on the results of the self-screening tool.
21 Upon furnishing a self-administered hormonal contraceptive or
22 determining that a self-administered hormonal contraceptive is not
23 recommended, the pharmacist will be required to refer the person to
24 the person’s primary care provider or to an appropriate medical
25 clinic.

26 Nothing in the bill is to be construed to expand the authority of a
27 pharmacist to prescribe prescription medication.

28 California and Oregon recently enacted similar legislation
29 expanding access to self-administered hormonal contraceptives.