

**ASSEMBLY, No. 992**

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**STATE OF NEW JERSEY**

**212th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2006 SESSION

**Sponsored by:**

**Assemblywoman LINDA STENDER**  
**District 22 (Middlesex, Somerset and Union)**  
**Assemblyman NEIL M. COHEN**  
**District 20 (Union)**  
**Assemblyman JERRY GREEN**  
**District 22 (Middlesex, Somerset and Union)**

**Co-Sponsored by:**

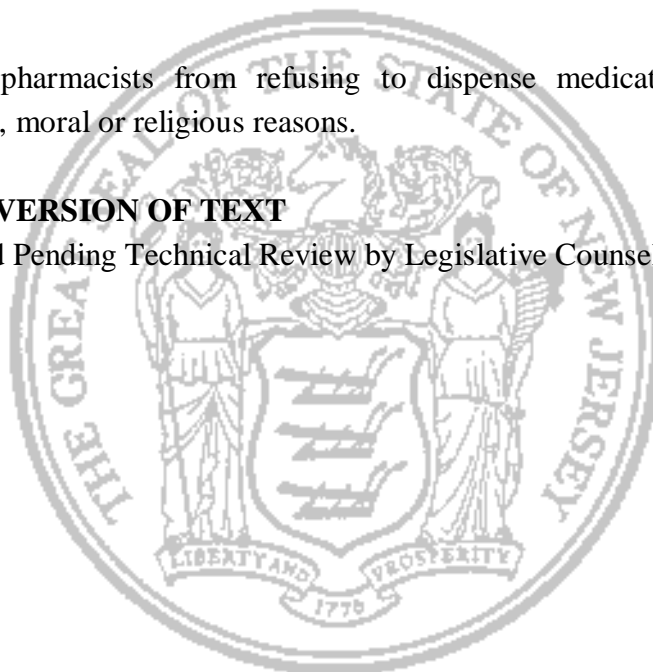
**Assemblywoman Voss, Assemblyman Vas, Assemblywoman Watson Coleman, Assemblymen Gusciora, Diegnan, Johnson, Gordon, Assemblywomen Vainieri Huttle, Greenstein, Assemblymen Hackett, Burzichelli and Panter**

**SYNOPSIS**

Prohibits pharmacists from refusing to dispense medication solely for philosophical, moral or religious reasons.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel



**(Sponsorship Updated As Of: 10/20/2006)**

1 AN ACT concerning the dispensing of medications and amending  
2 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 27 of P.L.2003, c.280 (C.45:14-66) is amended to  
8 read as follows:

9 27. a. A pharmacist shall conduct a drug utilization review  
10 before each new medication is dispensed or delivered to a patient.

11 b. A pharmacist shall conduct a prospective drug utilization  
12 review in accordance with the provisions of this section before  
13 refilling a prescription or medication order to the extent he deems  
14 appropriate in his professional judgment.

15 c. A pharmacist shall exercise independent professional  
16 judgment as to whether or not to dispense or refill a prescription or  
17 medication order. In determining to dispense or refill a prescription  
18 or medication order, the decision of the pharmacist shall not be  
19 arbitrary but shall be based on professional experience, knowledge  
20 or available reference materials. A pharmacist shall not refuse to  
21 dispense or refill a prescription or medication order solely on the  
22 grounds that to dispense or refill the prescription or medication  
23 order would contravene the pharmacist's philosophical, moral or  
24 religious beliefs.

25 (cf: P.L.2003, c.280, s.27)

26

27 2. This act shall take effect immediately.

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#### STATEMENT

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32 This bill amends the "New Jersey Pharmacy Practice Act"  
33 (N.J.S.A.45:14-40 et seq.) to provide an explicit statutory  
34 prohibition against a pharmacist refusing to dispense or refill a  
35 prescription or medication order solely on the grounds that the  
36 dispensing or refill of the prescription or medication order would  
37 contravene the pharmacist's philosophical, moral or religious  
38 beliefs.

**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.