SENATE, No. 1195

STATE OF NEW JERSEY

212th LEGISLATURE

INTRODUCED JANUARY 30, 2006

Sponsored by:
Senator FRED H. MADDEN, JR.
District 4 (Camden and Gloucester)

Senator JOSEPH F. VITALE
District 19 (Middlesex)

Co-Sponsored by:
Senator Buono

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

CURRENT VERSION OF TEXT
As introduced.

(Sponsorship Updated As Of: 5/12/2006)
AN ACT concerning the dispensing of medications and amending P.L.2003, c.280.

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

1. Section 27 of P.L.2003, c.280 (C.45:14-66) is amended to read as follows:
   27. a. A pharmacist shall conduct a drug utilization review before each new medication is dispensed or delivered to a patient.
   b. A pharmacist shall conduct a prospective drug utilization review in accordance with the provisions of this section before refilling a prescription or medication order to the extent he deems appropriate in his professional judgment.
   c. A pharmacist shall exercise independent professional judgment as to whether or not to dispense or refill a prescription or medication order. In determining to dispense or refill a prescription or medication order, the decision of the pharmacist shall not be arbitrary but shall be based on professional experience, knowledge or available reference materials. A pharmacist shall not refuse to dispense or refill a prescription or medication order solely on the grounds that to dispense or refill the prescription or medication order would contravene the pharmacist's philosophical, moral or religious beliefs.
   (cf: P.L.2003, c.280, s.27)

2. This act shall take effect immediately.

STATEMENT

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