

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)

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)

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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.