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

CURRENT VERSION OF TEXT
As introduced.
AN ACT concerning contraceptives and supplementing P.L.2003, c.280 (C.45:14-40 et seq.).

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

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

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

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

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

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

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

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

2. This act shall take effect on the first day of the fourth month next following the date of enactment, except that the Board of Pharmacy may take any administrative action in advance thereof as shall be necessary for the implementation of this act.
This bill permits pharmacists to furnish self-administered hormonal contraceptives pursuant to procedures adopted by the Board of Pharmacy (Board). These procedures are to be established by rule pursuant to the “Administrative Procedure Act,” in consultation with the State Board of Medical Examiners and in consideration of guidelines established by the American Congress of Obstetricians and Gynecologists. Self-administered hormonal contraceptives will include oral, transdermal, and vaginal contraceptive products.

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

Nothing in the bill is to be construed to expand the authority of a pharmacist to prescribe prescription medication. California and Oregon recently enacted similar legislation expanding access to self-administered hormonal contraceptives.