

1 H.752

2 Introduced by Representatives Till of Jericho, Rogers of Waterville, Campbell
3 of St. Johnsbury, Carroll of Bennington, Coffey of Guilford,
4 Colburn of Burlington, Cordes of Lincoln, Fegard of Berkshire,
5 Houghton of Essex, James of Manchester, Jerome of Brandon,
6 Kornheiser of Brattleboro, LaLonde of South Burlington,
7 Lanpher of Vergennes, McFaun of Barre Town, Notte of
8 Rutland City, Ode of Burlington, Scheu of Middlebury,
9 Sullivan of Burlington, Townsend of South Burlington, White
10 of Hartford, Wood of Waterbury, and Yantachka of Charlotte

11 Referred to Committee on

12 Date:

13 Subject: Health; professions and occupations; pharmacists; contraceptives

14 Statement of purpose of bill as introduced: This bill proposes to authorize a
15 licensed pharmacist to dispense self-administered hormonal contraceptives to a
16 patient without a prescription provided the pharmacist has received appropriate
17 training and follows procedures specified by the Board of Pharmacy by rule.

18 The bill would require health insurance plans to provide the same coverage for
19 self-administered hormonal contraceptives when dispensed by a pharmacist
20 without a prescription as they do when the contraceptives are dispensed
21 pursuant to a prescription.

1 An act relating to authorizing pharmacists to dispense hormonal
2 contraceptives without a prescription

3 It is hereby enacted by the General Assembly of the State of Vermont:

4 Sec. 1. 26 V.S.A. § 2022 is amended to read:

5 § 2022. DEFINITIONS

6 As used in this chapter:

7 * * *

8 (15)(A) “Practice of pharmacy” means:

9 * * *

10 (vii) optimizing drug therapy through the practice of clinical
11 pharmacy; ~~and~~

12 (viii) dispensing self-administered hormonal contraceptives in
13 accordance with section 2024 of this chapter; and

14 (ix) performing or offering to perform those acts, services,
15 operations, or transactions necessary in the conduct, operation, management,
16 and control of pharmacy.

17 * * *

18 (21) “Self-administered hormonal contraceptive” means a contraceptive
19 medication or device approved by the U.S. Food and Drug Administration that
20 prevents pregnancy by using hormones to regulate or prevent ovulation and
21 that uses an oral, transdermal, vaginal, or depot injection route of
22 administration.

1 Sec. 2. 26 V.S.A. § 2024 is added to read:

2 § 2024. DISPENSING CONTRACEPTIVES WITHOUT A PRESCRIPTION

3 (a) A licensed pharmacist who meets the requirements of the rules adopted
4 by the Board pursuant to this section may dispense self-administered hormonal
5 contraceptives to a patient without a prescription.

6 (b) The Board of Pharmacy, in consultation with the Board of Medical
7 Practice and other interested health professional associations and stakeholders,
8 shall adopt rules pursuant to 3 V.S.A. chapter 25 establishing the conditions
9 under which a pharmacist may dispense self-administered hormonal
10 contraceptives to a patient without a prescription and the standard procedures
11 that a pharmacist shall use to select the appropriate contraceptive for a patient
12 or to refer the patient to a primary care provider or reproductive health care
13 provider for treatment. The Board's rules shall require the pharmacist to:

14 (1) complete an educational training program accredited by the
15 Accreditation Council for Pharmacy Education relating to hormonal
16 contraceptives, unless the pharmacist has already undergone this training as
17 part of the pharmacist's formal educational program;

18 (2) comply with the most current U.S. Medical Eligibility Criteria for
19 Contraceptive Use as adopted by the Centers for Disease Control and
20 Prevention;

1 (3) provide a self-screening risk assessment tool that a patient must use
2 before a pharmacist may dispense hormonal contraceptives to the patient
3 without a prescription;

4 (4) follow other standard procedures established by the Board; and

5 (5) after dispensing hormonal contraceptives to a patient without a
6 prescription:

7 (A) refer the patient for additional care to the patient's primary care
8 provider or reproductive health care provider or, if the patient does not have a
9 primary care or reproductive health care provider, to a family planning
10 provider or licensed clinician who provides reproductive health care services;

11 (B) provide the patient with:

12 (i) a written record of the contraceptives dispensed; and

13 (ii) written information about the importance of seeing the
14 patient's primary care provider or reproductive health care provider to obtain
15 recommended tests and screenings;

16 (C) record the dispensing of the contraceptives in any electronic
17 health record maintained on the patient by the pharmacist; and

18 (D) provide the patient with a copy of the record of the encounter that
19 includes the patient's completed self-assessment tool and the contraceptive
20 dispensed or, if applicable, the basis for not dispensing the contraceptive.

1 Sec. 3. 8 V.S.A. § 4099c is amended to read:

2 § 4099c. REPRODUCTIVE HEALTH EQUITY IN HEALTH INSURANCE
3 COVERAGE

4 * * *

5 (h) The coverage requirements of this section shall apply to self-
6 administered hormonal contraceptives dispensed by a pharmacist to an insured
7 without a prescription in accordance with 26 V.S.A. § 2024.

8 Sec. 4. BOARD OF PHARMACY; RULEMAKING

9 The Board of Pharmacy, in consultation with the Board of Medical Practice
10 and other interested health professional associations and stakeholders, shall
11 adopt rules pursuant to 3 V.S.A. chapter 25 to enable pharmacists to dispense
12 self-administered hormonal contraceptives to patients without a prescription as
13 set forth in 26 V.S.A. § 2024, as added by Sec. 2 of this act. The Board shall
14 proceed expeditiously with the rulemaking process in order to ensure that the
15 rules will be in effect to enable licensed pharmacists to begin dispensing self-
16 administered hormonal contraceptives to patients without a prescription on
17 January 1, 2021.

18 Sec. 5. EFFECTIVE DATES

19 (a) Secs. 1 (26 V.S.A. § 2022), 2 (26 V.S.A. § 2024), and 3 (8 V.S.A.
20 § 4099c) shall take effect on January 1, 2021.

- 1 (b) Sec. 4 (Board of Pharmacy; rulemaking) and this section shall take
2 effect on passage.