

SENATE BILL No. 21

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-26-13-16.

Synopsis: Prescriptions by out-of-state physician assistants. Provides that a pharmacist has a duty to honor all prescriptions issued by a physician's assistant licensed under the laws of another state.

Effective: Upon passage.

Rogers, Grooms, Charbonneau

January 6, 2020, read first time and referred to Committee on Health and Provider Services.



Second Regular Session of the 121st General Assembly (2020)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

SENATE BILL No. 21

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-26-13-16 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 16. (a) A
3 pharmacist shall exercise ~~his~~ **the pharmacist's** professional judgment
4 in the best interest of the patient's health when engaging in the practice
5 of pharmacy.

6 (b) A pharmacist has a duty to honor all prescriptions from a
7 practitioner or from a physician, **physician's assistant**, podiatrist,
8 dentist, or veterinarian licensed under the laws of another state. Before
9 honoring a prescription, the pharmacist shall take reasonable steps to
10 determine whether the prescription has been issued in compliance with
11 the laws of the state where it originated. The pharmacist is immune
12 from criminal prosecution or civil liability if ~~he~~, **the pharmacist**, in
13 good faith, refuses to honor a prescription because, in ~~his~~ **the**
14 **pharmacist's** professional judgment, the honoring of the prescription
15 would:

- 16 (1) be contrary to law;
- 17 (2) be against the best interest of the patient;



- 1 (3) aid or abet an addiction or habit; or
- 2 (4) be contrary to the health and safety of the patient.
- 3 **SECTION 2. An emergency is declared for this act.**

