

FIRST REGULAR SESSION

HOUSE BILL NO. 80

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE YOUNG.

0099H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 338, RSMo, by adding thereto one new section relating to accessible prescription labels.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 338, RSMo, is amended by adding thereto one new section, to be known as section 338.088, to read as follows:

338.088. 1. The provisions of this section shall be known and may be cited as the "Accessible Prescription Labels Act".

2. For purposes of this section, the term "prescription reader" means a device that is designed to audibly convey the information contained on the label of a prescription drug.

3. A pharmacy shall notify each person to whom a prescription drug is dispensed that an accessible prescription label is available to the person upon request at no additional cost.

4. If a person informs a pharmacy that the person identifies as a person who is blind, visually impaired, or otherwise print-disabled, the pharmacy shall provide to the person an accessible prescription label affixed to the bottle that:

(1) Is available to the person in a timely manner comparable to wait times for other patients and lasts for at least the duration of the prescription;

(2) Is appropriate to the disability and preference of the person making the request through use of audible, large print, or Braille labels;

(3) Conforms to the format-specific best practices established by the Architectural and Transportation Barriers Compliance Board; and

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

18 **(4) Contains all the label information required by state statute and federal law,**
19 **including cautions and warnings, and any information available to sighted persons**
20 **reading printed labels.**

21 **5. If a pharmacy provides a prescription reader to comply with the provisions of**
22 **this section, the pharmacy shall ensure that the prescription label is compatible with the**
23 **prescription reader.**

24 **6. The board of pharmacy shall promulgate regulations necessary to implement**
25 **this section. Any rule or portion of a rule, as that term is defined in section 536.010, that**
26 **is created under the authority delegated in this section shall become effective only if it**
27 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
28 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**
29 **vested with the general assembly pursuant to chapter 536 to review, to delay the**
30 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**
31 **then the grant of rulemaking authority and any rule proposed or adopted after August**
32 **28, 2023, shall be invalid and void.**

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