

FIRST REGULAR SESSION

SENATE BILL NO. 533

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

Read 1st time March 1, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

2089S.011

AN ACT

To repeal section 338.202, RSMo, and to enact in lieu thereof one new section relating to maintenance medication.

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

Section A. Section 338.202, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 338.202, to read as follows:

338.202. 1. Notwithstanding any other provision of law to the contrary,
2 unless the prescriber has specified on the prescription that dispensing a
3 prescription for a maintenance medication in an initial amount followed by
4 periodic refills is medically necessary, a pharmacist may exercise his or her
5 professional judgment to dispense varying quantities of maintenance medication
6 per fill up to the total number of dosage units as authorized by the prescriber on
7 the original prescription, including any refills. Dispensing of the maintenance
8 medication based on refills authorized by the physician or prescriber on the
9 prescription shall be limited to no more than a ninety-day supply of the
10 medication, and the maintenance medication shall have been previously
11 prescribed to the patient for at least a three-month period. **The supply**
12 **limitations provided in this subsection shall not apply if:**

13 **(1) The prescription is issued by a practitioner located in**
14 **another state according to and in compliance with the applicable laws**
15 **of that state and the United States and dispensed to a patient located**
16 **in another state; or**

17 **(2) The prescription is dispensed directly to a member of the**
18 **United States Armed Forces serving outside the United States.**

19 2. For the purposes of this section, "maintenance medication" is and
20 means a medication prescribed for chronic long-term conditions and that is taken

21 on a regular, recurring basis; except that, it shall not include controlled
22 substances, as defined in and under section 195.010.

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