

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 973
98TH GENERAL ASSEMBLY

5740H.05C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 338, RSMo, by adding thereto one new section relating to dispensing maintenance medication.

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
2 known as section 338.202, to read as follows:

**338.202. 1. Notwithstanding any other provision of law to the contrary, unless the
2 prescriber has specified on the prescription that dispensing a prescription for a
3 maintenance medication in an initial amount followed by periodic refills is medically
4 necessary, a pharmacist may exercise his or her professional judgment to dispense varying
5 quantities of maintenance medication per fill up to the total number of dosage units as
6 authorized by the prescriber on the original prescription, including any refills. Dispensing
7 of the maintenance medication based on refills authorized by the prescriber on the
8 prescription shall be limited to no more than a ninety-day supply of the medication, and
9 the maintenance medication shall have been previously prescribed to the patient for at least
10 a three-month period.**

**11 2. For the purposes of this section "maintenance medication" is a medication
12 prescribed for chronic, long-term conditions and is taken on a regular, recurring basis,
13 except that it shall not include controlled substances as defined in section 195.010.**

✓

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.