

2023 -- S 0103 SUBSTITUTE A

LC001050/SUB A/2

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- PHARMACIES

Introduced By: Senators Kallman, McKenney, Euer, Miller, Mack, DiMario, Lauria, LaMountain, and Pearson

Date Introduced: February 01, 2023

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 5-19.1 of the General Laws entitled "Pharmacies" is hereby amended
2 by adding thereto the following section:

3 **5-19.1-36. Pharmacists -- Contraceptives -- Prescribing.**

4 (a) In accordance with chapter 19.1 of title 5 and adopted by the state board of pharmacy,
5 a pharmacist may prescribe and dispense all short-term, FDA-approved hormonal contraceptives.

6 (b) The state board of pharmacy shall adopt rules to establish, in consultation with the
7 Rhode Island medical board, the Rhode Island state board of nursing and the Rhode Island
8 department of health, and in consideration of guidelines established by the American College of
9 Obstetricians and Gynecologists.

10 (c) A pharmacist shall be required to:

11 (1) Complete educational training approved by the state board of pharmacy that is related
12 to prescribing hormonal contraceptives. This training shall include training on counseling on all
13 methods of FDA-approved contraceptives, including those the pharmacist is not able to prescribe;

14 (2) Provide a self-screening risk assessment tool, based on the current version of the U.S.
15 Medical Eligibility Criteria for Contraceptive Use developed by the Federal Centers for Disease
16 Control and Prevention, that the patient must complete prior to the pharmacist's prescribing the
17 hormonal contraceptive;

18 (3) Provide the patient with a written record of the hormonal contraceptive prescribed and
19 dispensed and advise the patient to consult with a primary care practitioner or women's health care

1 practitioner; and

2 (4) Notify the patients primary care provider that the pharmacist prescribed and/or
3 dispensed a short term, FDA-approved hormonal contraceptive. If the patient does not have a
4 primary care provider, or refuses consent to notify the patients primary care provider, the
5 pharmacist shall provide the patient a list of physicians, clinics or other health care providers to
6 contact regarding follow-up care.

7 (5) Dispense the contraceptives to the patient as soon as practicable after the pharmacist
8 issues the prescription.

9 (d) All state and federal laws governing insurance coverage of contraceptive drugs,
10 devices, products and services shall apply to contraceptives prescribed by a pharmacist under this
11 section; provided, however, an initial prescription issued pursuant to the provisions of this section
12 shall be limited to up to a three (3) month supply.

13 (e) Any individual health plan or group health plan and any health coverage through any
14 commercial health plan shall cover hormonal contraceptives that are prescribed and dispensed by
15 a pharmacist, including contraceptive counseling, if those contraceptives would otherwise be
16 covered if prescribed by another type of health care provider.

17 (f) The Rhode Island state pharmacy board should track and report on accessibility and use,
18 including the number and geographic locations of participating pharmacy stores; and number of
19 pharmacists that are eligible to prescribe.

20 (g) Pharmacies should display signs in stores and on websites indicating on-site, behind-
21 the-counter availability of contraceptives.

22 SECTION 2. This act shall take effect on January 1, 2024.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would authorize a pharmacist to prescribe and dispense hormonal contraceptives,
2 provided that the pharmacist has completed a training program approved by the state board of
3 pharmacy.

4 This act would take effect January 1, 2024.

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