HOUSE BILL NO. HB1012

Healthcare professionals-right to prescribe medication-2.

Sponsored by: Representative(s) Laursen and Senator(s) Bouchard

A BILL

for

1 AN ACT relating to professions and occupations; allowing

2 licensed prescribers to prescribe any medication to treat

3 COVID 19 as specified; limiting disciplinary action for

4 licensed prescribers and pharmacists as specified;

5 requiring pharmacists to fill prescriptions for any

6 medication prescribed to treat COVID 19; and providing for

7 an effective date.

8

9 *Be It Enacted by the Legislature of the State of Wyoming:*

10

11   **Section 1.** W.S. 33-24-159 is created to read:

12

13   **33-24-159. Prescriptions required to be filled.**

14

1   Any person who practices pharmacy in accordance with the

2   provisions of this act and who receives an order for a

3   prescription from a person who is licensed to legally

4   prescribe medication in Wyoming to treat COVID-19, as

5   defined by W.S. 1-1-141(a)(ii) or any variant thereof,

6   shall fill and provide that prescription to the patient for

7   who it is prescribed.

8

9   **Section 2.** W.S. 33-24-122 by creating a new

10   subsection (d) and 33-26-402 by creating a new subsection

11   (c) are amended to read:

12

13   **33-24-122. Revocation or suspension of license and**

14   **registration; letter of admonition; summary suspension;**

15   **administrative penalties; probation; grounds.**

16

17   (d) Unless specifically prescribed by law, the board

18   shall take no action to suspend, revoke, refuse to renew or

19   restrict the license, impose conditions or take any other

20   disciplinary actions against any pharmacist who fills a

21   prescription as required by W.S. 33-24-159 for any

22   medication or medical treatment received from a person who

23   is licensed and authorized to prescribe medication in the

1 state of Wyoming to treat COVID-19 as defined by W.S.

2 1-1-141(a)(ii) or any variant thereof.

3

4 **33-26-402. Grounds for suspension; revocation;**

5 **restriction; imposition of conditions; refusal to renew or**

6 **other disciplinary action.**

7

8 (c) Unless specifically prescribed by law, the board

9 shall take no action to suspend, revoke, refuse to renew or

10 restrict the license, impose conditions or take any other

11 disciplinary actions against a person who is licensed and

12 authorized to prescribe medication in the state of Wyoming

13 from prescribing any medication or medical treatment that

14 the prescriber reasonably believes is likely to be

15 effective in treating COVID-19 as defined by W.S.

16 1-1-141(a)(ii) or any variant thereof. In consultation with

17 their health care provider, each competent adult has the

18 right to make their own health care decisions pursuant to

19 article 1, section 38(a) of the Wyoming Constitution. This

20 section shall not apply to prescriptions for substances

21 that are listed as Schedule I or Schedule II controlled

22 substances as prescribed under federal law or by the

23 Wyoming Controlled Substances Act of 1971.

1

2   **Section 3.** This act is effective immediately upon

3 completion of all acts necessary for a bill to become law

4 as   provided by Article 4, Section 8 of the Wyoming

5 Constitution.

6

7   (END)