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HOUSE BILL NO. 2842

Offered January 10, 2007

Prefiled January 10, 2007

A *BILL to amend the Code of Virginia by adding a section numbered 54.1-3410.01, relating to when pharmacies shall sell and dispense drugs.*

Patron—Hall

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 54.1-3410.01 as follows:

§ 54.1-3410.01. Requirement that a pharmacist sell and dispense drugs.

A. A licensed pharmacy shall sell and dispense drugs and devices to any person without delay on demand or pursuant to a prescription of a prescriber, where required, without regard for any personal conflicts of owners or employees to dispensing or distributing a particular drug or device due to genuinely held religious or other personal beliefs.

B. When a patient makes a request or presents a prescription for a drug or device that is not currently in stock at the pharmacy, the pharmacy shall (i) attempt to obtain the drug or device under the pharmacy's standard procedure for expedited ordering of any drug or device not in stock, or (ii) attempt to locate a pharmacy of the patient's choice that has the drug or device in stock and refer the patient to that pharmacy and, in the case of a prescription drug or device, transfer the prescription to that pharmacy under standard procedures for the transferring of prescriptions.

C. Nothing herein shall prohibit a pharmacy from refusing to dispense or distribute a drug or device in accordance with standard pharmacy practice if there is a valid medical concern that such drug or device will result in problems due to therapeutic duplications, drug-disease contraindications, drug interactions including serious interactions with prescription or over-the-counter medications, incorrect dosage or duration of drug treatment, drug-allergy interactions or drug abuse or misuse.

INTRODUCED

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