

HOUSE BILL No. 1162

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-26-13-16.

Synopsis: Prescriptions. Requires a pharmacist who is presented a prescription and either: (1) does not have the drug in stock at the pharmacy; or (2) is unable to fill the prescription in a timely manner; to offer to assist the patient in finding a pharmacy that is able to fill the prescription.

Effective: July 1, 2013.

Pryor

January 10, 2013, read first time and referred to Committee on Public Health.

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First Regular Session 118th General Assembly (2013)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2012 Regular Session of the General Assembly.

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HOUSE BILL No. 1162



A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 25-26-13-16 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 16. (a) A pharmacist
- 3 shall exercise ~~his~~ **the pharmacist's** professional judgment in the best
- 4 interest of the patient's health when engaging in the practice of
- 5 pharmacy.
- 6 (b) A pharmacist has a duty to honor all prescriptions from a
- 7 practitioner or from a physician, podiatrist, dentist, or veterinarian
- 8 licensed under the laws of another state. Before honoring a
- 9 prescription, the pharmacist shall take reasonable steps to determine
- 10 whether the prescription has been issued in compliance with the laws
- 11 of the state where it originated. The pharmacist is immune from
- 12 criminal prosecution or civil liability if ~~he~~, **the pharmacist**, in good
- 13 faith, refuses to honor a prescription because, in ~~his~~ **the pharmacist's**
- 14 professional judgment, the honoring of the prescription would:
- 15 (1) be contrary to law;
- 16 (2) be against the best interest of the patient;
- 17 (3) aid or abet an addiction or habit; or



1 (4) be contrary to the health and safety of the patient.
2 **(c) Subject to subsection (b), if a pharmacist is presented a**
3 **prescription and either:**
4 **(1) does not have the drug in stock at the pharmacy; or**
5 **(2) is unable to fill the prescription in a timely manner;**
6 **the pharmacist shall offer to assist the patient in finding a**
7 **pharmacy that is able to fill the prescription.**

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