

SENATE BILL No. 297

DIGEST OF INTRODUCED BILL

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

Synopsis: Pharmacist's refusal to honor a prescription. Provides that a pharmacist is immune from criminal prosecution or civil liability if the pharmacist, in good faith, refuses to honor a prescription because the prescription is against the pharmacist's religious beliefs or moral convictions.

Effective: July 1, 2001.

Riegsecker

January 11, 2001, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.

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First Regular Session 112th General Assembly (2001)

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 2000 General Assembly.

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SENATE BILL No. 297



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, 2001]: Sec. 16. (a) A pharmacist
3 shall exercise his professional judgment in the best interest of the
4 patient's health when engaging in the practice of pharmacy.

5 (b) A pharmacist has a duty to honor all prescriptions from a
6 practitioner or from a physician, podiatrist, dentist, or veterinarian
7 licensed under the laws of another state. Before honoring a
8 prescription, the pharmacist shall take reasonable steps to determine
9 whether the prescription has been issued in compliance with the laws
10 of the state where it originated. The pharmacist is immune from
11 criminal prosecution or civil liability if ~~he~~ **the pharmacist**, in good
12 faith, refuses to honor a prescription because, in ~~his~~ **the pharmacist's**
13 professional judgment, the honoring of the prescription would:

- 14 (1) be contrary to law;
- 15 (2) be against the best interest of the patient;
- 16 (3) aid or abet an addiction or habit; ~~or~~
- 17 (4) be contrary to the health and safety of the patient; **or**



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(5) be against the pharmacist's religious beliefs or moral convictions.

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