

FIRST REGULAR SESSION

SENATE BILL NO. 312

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WASSON.

Read 1st time January 18, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1454S.011

AN ACT

To repeal section 338.202, RSMo, and to enact in lieu thereof one new section relating to maintenance medication filled by pharmacists.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 338.202, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 338.202, to read as follows:

338.202. 1. Notwithstanding any other provision of law to the contrary,
2 unless the prescriber has specified on the prescription that dispensing a
3 prescription for a maintenance medication in an initial amount followed by
4 periodic refills is medically necessary, a pharmacist may exercise his or her
5 professional judgment to dispense varying quantities of maintenance medication
6 per fill, up to the total number of dosage units as authorized by the prescriber on
7 the original prescription, including any refills. Dispensing of the maintenance
8 medication based on refills authorized by the physician or prescriber on the
9 prescription shall be limited to no more than a [ninety-day] **one hundred**
10 **eighty-day** supply of the medication[, and the maintenance medication shall
11 have been previously prescribed to the patient for at least a three-month period].

12 2. For the purposes of this section, "maintenance medication" is and
13 means a medication prescribed for chronic long-term conditions and that is taken
14 on a regular, recurring basis; except that, it shall not include controlled
15 substances, as defined in and under section 195.010.

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EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.