

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 718**  
99TH GENERAL ASSEMBLY

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Reported from the Committee on Health and Pensions, February 1, 2018, with recommendation that the Senate Committee Substitute do pass.

4209S.03C

ADRIANE D. CROUSE, Secretary.

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**AN ACT**

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

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*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Section A. Section 338.202, RSMo, is repealed and one new section  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 supply of the  
10 medication, and the maintenance medication shall have been previously  
11 prescribed to the patient for at least a three-month period. **The supply**  
12 **limitations provided in this subsection shall not apply if the**  
13 **prescription is issued by a practitioner located in another state**  
14 **according to and in compliance with the applicable laws of that state**  
15 **and the United States or dispensed to a patient who is a member of the**  
16 **United States Armed Forces serving outside the United States.**

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

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