

SENATE AMENDMENT NO. _____

Offered by _____ Of _____

Amend SS/SCS/Senate Bill No. 878, Page 8, Section 338.206, Line 36,

2 by inserting after all of said line the following:

3 "338.312. 1. As used in this section, unless the
4 context requires otherwise, the following terms mean:

5 (1) "Declared state disaster or emergency", a disaster
6 or emergency event for which a governor's state of emergency
7 proclamation has been issued or that the President of the
8 United States has declared to be a major disaster or
9 emergency;

10 (2) "Disaster period", the period of time that begins
11 ten days before a governor's proclamation of a state of
12 emergency or the declaration by the President of the United
13 States of a major disaster or emergency, whichever occurs
14 first, and extending for a period of sixty calendar days
15 following the end of the period specified in the
16 proclamation or declaration or sixty calendar days from the
17 proclamation or declaration if no end is provided. The
18 governor may extend the disaster period as warranted;

19 (3) "Nonprofit pharmacy", any pharmacy licensed in
20 this state that operates as a charitable organization under
21 Section 501(c)(3) of the Internal Revenue Code of 1986, as
22 amended.

23 2. Notwithstanding any provision of law to the
24 contrary, the board of pharmacy shall have the authority to
25 waive compliance with any Missouri rules and regulations for

26 pharmacies licensed in this state when such nonprofit
27 pharmacy is dispensing, shipping, or delivering prescription
28 drugs into another state or United States territory that is
29 experiencing a declared state disaster or emergency,
30 provided that:

31 (1) The nonprofit pharmacy is a licensed pharmacy in
32 good standing under this chapter and is authorized to ship
33 prescription drugs into the state or territory in question;

34 (2) The nonprofit pharmacy is responding to an active
35 declared state disaster or emergency;

36 (3) The nonprofit pharmacy complies with all emergency
37 rules and regulations for pharmacies and nonprofit
38 pharmacies established by the state or territory for the
39 duration of the disaster period;

40 (4) The nonprofit pharmacy complies with all
41 applicable federal laws and regulations; and

42 (5) The waiver applies only to prescription drugs
43 dispensed, shipped, or delivered to residents or health care
44 facilities located within the geographic area specified in
45 the declared state disaster or emergency.

46 3. The board of pharmacy may promulgate rules to
47 implement the provisions of this section. Any rule or
48 portion of a rule, as that term is defined in section
49 536.010, that is created under the authority delegated in
50 this section shall become effective only if it complies with
51 and is subject to all of the provisions of chapter 536 and,
52 if applicable, section 536.028. This section and chapter
53 536 are nonseverable and if any of the powers vested with
54 the general assembly pursuant to chapter 536 to review, to
55 delay the effective date, or to disapprove and annul a rule
56 are subsequently held unconstitutional, then the grant of
57 rulemaking authority and any rule proposed or adopted after
58 August 28, 2026, shall be invalid and void."; and

59 Further amend the title and enacting clause accordingly.