

SENATE AMENDMENT NO. _____

Offered by _____ Of _____

Amend SS/SCS/Senate Bill Nos. 984 & 968, Page 1, Section TITLE, Line 4,

2 by striking "pharmacy benefits managers" and inserting in
3 lieu thereof the following: "pharmacies"; and

4 Further amend said bill and page, section A, line 4, by
5 inserting after all of said line the following:

6 "338.312. 1. As used in this section, unless the
7 context requires otherwise, the following terms mean:

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

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

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

26 2. Notwithstanding any provision of law to the
27 contrary, the board of pharmacy shall have the authority to
28 waive compliance with any Missouri rules and regulations for
29 pharmacies licensed in this state when such nonprofit
30 pharmacy is dispensing, shipping, or delivering prescription
31 drugs into another state or United States territory that is
32 experiencing a declared state disaster or emergency,
33 provided that:

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

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

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

43 (4) The nonprofit pharmacy complies with all
44 applicable federal laws and regulations; and

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

49 3. The board of pharmacy may promulgate rules to
50 implement the provisions of this section. Any rule or
51 portion of a rule, as that term is defined in section
52 536.010, that is created under the authority delegated in
53 this section shall become effective only if it complies with
54 and is subject to all of the provisions of chapter 536 and,
55 if applicable, section 536.028. This section and chapter
56 536 are nonseverable and if any of the powers vested with
57 the general assembly pursuant to chapter 536 to review, to
58 delay the effective date, or to disapprove and annul a rule

59 are subsequently held unconstitutional, then the grant of
60 rulemaking authority and any rule proposed or adopted after
61 August 28, 2026, shall be invalid and void."; and

62 Further amend the title and enacting clause accordingly.