

21 Section 1. Section 6801 of the education law is amended by adding a
22 new subdivision 9 to read as follows:

23 9. A licensed pharmacist within their lawful scope of practice may
24 prescribe and order self-administered hormonal contraceptives and emer-
25 gency contraceptive drug therapy in accordance with standardized proce-

1 dures or protocols developed and approved by the board of pharmacy in
2 consultation with the department of health.

3 (a) The standardized procedure or protocol shall require that the
4 patient use a self-screening tool that will identify patient risk
5 factors for use of self-administered hormonal contraceptives and emer-
6 gency contraceptive drug therapy, based on the current United States
7 Medical Eligibility Criteria (USMEC) for Contraceptive Use developed by
8 the federal Centers for Disease Control and Prevention, and that the
9 pharmacist refer the patient to the patient's primary care provider or,
10 if the patient does not have a primary care provider, to nearby clinics,
11 upon furnishing a self-administered hormonal contraceptive or emergency
12 contraceptive drug therapy pursuant to this subdivision, or if it is
13 determined that use of a self-administered hormonal contraceptive or
14 emergency contraceptive drug therapy is not recommended.

15 (b) Prior to prescribing self-administered hormonal contraceptives or
16 emergency contraceptive drug therapy under this subdivision, a pharma-
17 cist shall complete a training program on self-administered hormonal
18 contraceptives or emergency contraceptive drug therapy, as applicable,
19 that consists of at least one hour of approved continuing education on
20 self-administered hormonal contraceptives or emergency contraceptive
21 drug therapy.

22 (c) A pharmacist, pharmacist's employer, or pharmacist's agent shall
23 not directly charge a patient a separate consultation fee for self-ad-
24 ministered hormonal contraceptives or emergency contraceptive drug ther-
25 apy services initiated pursuant to this subdivision, but may charge an
26 administrative fee not to exceed ten dollars above the retail cost of
27 the drug. Upon an oral, telephonic, electronic, or written request from
28 a patient or customer, a pharmacist or pharmacist's employee shall

1 disclose the total retail price that a consumer would pay for self-ad-
2 ministered hormonal contraceptives or emergency contraceptive drug ther-
3 apy. As used in this paragraph, total retail price includes providing
4 the consumer with specific information regarding the price of the self-
5 administered hormonal contraceptives or emergency contraceptive drug
6 therapy and the price of the administrative fee charged. This limitation
7 is not intended to interfere with other contractually agreed-upon terms
8 between a pharmacist, a pharmacist's employer, or a pharmacist's agent,
9 and a health care service plan or insurer. Patients who are insured or
10 covered and receive a pharmacy benefit that covers the cost of self-ad-
11 ministered hormonal contraceptives or emergency contraceptive drug ther-
12 apy shall not be required to pay an administrative fee. Such patients
13 shall be required to pay copayments pursuant to the terms and conditions
14 of their coverage. This paragraph shall not apply to dedicated emergency
15 contraceptive drugs classified as over-the-counter products by the
16 federal Food and Drug Administration.

17 (d) For each emergency contraceptive drug therapy or self-administered
18 hormonal contraceptive initiated pursuant to this subdivision, the phar-
19 macist shall provide the recipient of the drug with a standardized
20 factsheet that includes, but is not limited to, the indications and
21 contraindications for use of the drug, the appropriate method for using
22 the drug, the need for medical follow-up, and other appropriate informa-
23 tion. The board of pharmacy shall develop this form in consultation with
24 the department of health. This section does not preclude the use of
25 existing publications developed by nationally recognized medical organ-
26 izations.

27 § 2. This act shall take effect immediately.