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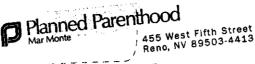
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March 5, 2003

Assemblyman David Goldwater, Chair Commerce and Labor Committee Nevada State Legislature

RE: A.B. 144

Dear Chairman Goldwater and Committee Members:

For the record, my name is Pat Elzy. I am the Director of Public Affairs for Planned Parenthood Mar Monte in Northern Nevada. I represent both Planned Parenthood Mar Monte and Planned Parenthood of Southern Nevada. This testimony is to go on record that Planned Parenthood supports A.B. 144. This bill would require a pharmacist to dispense a prescription or refer the prescription to another pharmacist at the facility or to another facility. Planned Parenthood believes that all legal prescriptions should be dispensed. Unfortunately that is not the case in Nevada.

Planned Parenthood became aware of this situation when a woman who wished to remain anonymous called our Reno health center in 2001 concerned that a pharmacist in Carson City refused to fill her birth control prescription. This woman was not told she could go to another pharmacy to get her prescription filled. She began to question why a pharmacist would deny dispensing a prescription that her medical doctor had provided her. This concern prompted her to call Planned Parenthood to see if a pharmacist could really refuse to fill a legal medical prescription.

Our staff then researched regulations and determined that courts have held that a pharmacy may refuse service and that a pharmacist may not dispense every prescription brought to him or her. When a doctor or practitioner prescribes a prescription it is in the best interest of the patient to get the medication prescribed. It should not be up to a pharmacist to override a physician's decision. Our goal is to regulate assurance of quality pharmaceutical care by directing the patient to a resource to obtain a doctor or practitioners order.

Planned Parenthood staff attempted to address this situation through regulatory language with the Nevada State Board of Pharmacy in 2001. The Nevada State Board of Pharmacy staff was willing to amend a prescription filling regulation that would allow a pharmacist who refused to dispense a prescription to then refer the prescription to another pharmacist at the facility or to another pharmacy. However, at public testimony in October of 2001, the proposed amendment was then defeated.

A.B.144 assures adequate access to health care for women and men by guaranteeing them that a prescription provided by their physician or practitioner will be dispensed or referred to another pharmacist. It also requires a pharmacist to notify his employer first

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ASSEMBLY COMMERCE & LABOR 183

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that he has refrained from dispensing a certain prescription due to a genuinely held religious belief. While everyone has the right to his or her opinion about reproductive health care it is important to remember that a patient's health should be put first. Pharmacists who object to dispensing a prescription should not impose personal views in a way that could affect the health of others. A.B.144 strikes a balance between the individual rights of pharmacists and their professional responsibility to their patients. I ask you to support A.B. 144.

Sincerely,

Pat Elzy, M.P.A.

Director of Public Affairs

Planned Parenthood Mar Monte

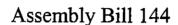


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This bill establishes a principle for pharmacists when dispensing or refilling prescriptions under certain circumstances.

Planned Parenthood Mar Monte and Planned Parenthood of Southern Nevada support this bill because:

- All legal prescriptions should be dispensed.
- It should not be up to the pharmacist to override a physician's decision.
- Providing and dispensing medication is the professional responsibility of a pharmacist.
- Personal views of a pharmacy or pharmacist should not affect the health care of patients.
- While everyone has the right to his or her opinions about reproductive health care it is important to remember that a patient's health should be first.
- This measure assures a patient that her prescription will be dispensed or referred to another pharmacist for dispensing.