



Department of Pharmacy POLICY AND PROCEDURE

POLICY NUMBER: 1418
VERSION: 2

SUBJECT: Refusal to Dispense

PURPOSE: To establish a process for refusal to dispense a prescription by a pharmacist.

POLICY: A pharmacist shall not obstruct a patient in obtaining a prescription drug or device that has been legally prescribed or ordered for that patient. A pharmacist shall dispense drugs and devices pursuant to a lawful order or prescription unless one of the following circumstances outlined in Business and Professions Code, section 733 exists. A violation constitutes unprofessional conduct by the pharmacist and shall subject the pharmacist to disciplinary or administrative action by management and the Board of Pharmacy.

PROCEDURE:

1. Notwithstanding any other law, a pharmacist shall dispense drugs and devices, pursuant to a lawful order or prescription unless one of the following circumstances exists:
 - a. Based solely on the pharmacist's professional training and judgment, dispensing pursuant to the order or the prescription is contrary to law, or the licentiate determines that the prescribed drug or device would cause a harmful drug interaction or would otherwise adversely affect the patient's medical condition.
 - b. The prescription drug or device is not in stock, the pharmacist shall take one of the following actions:
 - i. Immediately notify the patient and arrange for the drug or device to be delivered to the site or directly to the patient in a timely manner.
 - ii. Promptly transfer the prescription to another pharmacy known to stock the prescription drug or device that is near enough to the site from which the prescription or order is transferred, to ensure the patient has timely access to the drug or device.
 - iii. Return the prescription to the patient and refer the patient. The licentiate shall make a reasonable effort to refer the patient to a pharmacy that stocks the prescription drug or device that is near enough to the referring site to ensure that the patient has timely access to the drug or device.
 - c. The pharmacist refuses on ethical, moral, or religious grounds to dispense a drug or device pursuant to an order or prescription.

- i. A pharmacist may decline to dispense a prescription drug or device on this basis only if he/she has previously notified his or her employer, in writing, of the drug or class of drugs to which he or she objects, and the employer can, without creating undue hardship, provide a reasonable accommodation of the pharmacist's objection.
- ii. If the pharmacist refuses to dispense a prescription, he/she must take the following actions:
 - 1. Ask another pharmacist on duty to dispense the medication.
 - 2. If another pharmacist is not available, immediately notify the patient and offer them one of the options below:
 - a. Date and time the next pharmacist will be able to dispense the medication.
 - b. Transfer the prescription to another pharmacy known to stock the prescription drug or device that is near enough to the site from which the prescription or order is transferred, to ensure the patient has timely access to the drug or device.
 - c. Return the prescription to the patient and refer the patient. The pharmacist shall make a reasonable effort to refer the patient to a pharmacy that stocks the prescription drug or device that is near enough to the referring site to ensure that the patient has timely access to the drug or device.
 - 3. After the patient has been accommodated, the pharmacist must provide the following information to the pharmacy supervisor and or the pharmacy director:
 - a. Name of patient
 - b. Medical Record Number
 - c. Date
 - d. Drug
 - e. Reason for refusal
 - f. What accommodation was provided to patient to receive prescribed drug.

Approved By: Romina Panoussi (PHARMACY SERVICES CHIEF II)	
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