

Pharmacy Refusals

In many communities, filling a prescription for birth control or obtaining emergency contraception over the counter in a pharmacy is no longer a simple task. Too many women of all ages, races, and socioeconomic classes are denied access to legal prescription drugs by pharmacists who choose to impose their personal religious beliefs on others. Denying or delaying dispensation of a medication prescribed by a health care provider is discrimination that must not be tolerated. No one has the right to override the medical decisions made by a woman and her doctor. No pharmacy, no state, and no member of the federal government should provide refuge for those who do. While diverse religious practices should be accommodated in the workplace, there must be safeguards so that no one religious practice infringes upon the rights of others.

Pharmacy refusals are more common than you might think.

To date, reports of pharmacist refusals have surfaced in at least 19 states.¹

Pharmacists in most states do not have the right to refuse.

The legally permissible reasons for a pharmacist or a pharmacy to refuse to dispense a medication are based on what is medically in the patient's interest, as determined by the professional standards and practices of the pharmacist, not on his or her personal beliefs.² Four states have policies allowing pharmacists—and sometimes other health care providers—to refuse to dispense contraception.³ Between January and May 2007, nine states introduced legislation that would allow pharmacists and/or pharmacies to refuse.⁴

What about religious liberty?

It is true that employees should not have to choose between practicing their religion and pursuing a livelihood; however, there must be safeguards that ensure that the rights of others are not infringed upon in this effort. There is no cause for compromising the rights of others in the

name of religion. Reports of pharmacists lecturing women trying to obtain contraceptives and even providing false information about side effects demonstrate the need for laws ensuring that one person's religious beliefs cannot compromise the rights of others.

What do I do if a pharmacist refuses me?

- ▶ Talk to the manager at your pharmacy.
- ▶ Alert the pharmacy's corporate headquarters.
- ▶ File a complaint with your state's pharmacy board.
- ▶ Ask the state pharmacy board or legislature to put in place policies that will ensure that this does not happen to anyone else.
- ▶ Tell your story to the press.

¹Pharmacy Refusals 101, Washington, DC: National Women's Law Center, 2007.

²Morrison, Jill and Gretchen Borchelt, *Don't Take 'No' for an Answer: A Guide to Pharmacy Refusal Laws, Policies and Practices*, Washington, DC: National Women's Law Center, 2007.

³Pharmacy Refusals: State Laws, Regulations, and Policies, Washington, DC: National Women's Law Center, 2007.

⁴Pharmacy Refusals 101, Washington, DC: National Women's Law Center, 2007.