

Pharmacy Denial Fact Sheet HB 1365 (Emery)

What the bill does:

HB 1365 would protect any pharmacy from civil, criminal, professional, or other action if the pharmacy refuses to dispense any “drug or device that is an abortifacient, including but not limited to the RU486 drug and emergency contraception such as the Plan B drug.”

Background/Impact:

- The bill is fatally flawed:
 - Plan B[®] is not an abortifacient
 - The FDA-approved abortifacient drug (the so-called ‘RU486 drug’) is not sold or distributed through a pharmacy
- Emergency contraception (EC) – sold as Plan B[®] – is **contraception** (as approved by the FDA). It contains the same hormones and works in the same way as other hormonal birth control, such as pills and the IUD and, in August 2006, was approved by the FDA for over-the-counter use for women over 18.
- Emergency Contraception is sometimes referred to as the ‘morning after pill’ but it is not an abortifacient.
- **Mifeprex**, which is approved by the FDA as an abortifacient **is not available through a pharmacy**, but only under a strict Provider Agreement between the manufacturer and the abortion provider. It is used to terminate early abortions and is a safe alternative to surgical abortion.
- When a doctor prescribes medication, he or she expects that prescription to be filled without discrimination or delay. Pharmacy owners should not impose their moral judgments on women who are seeking to get their prescriptions filled and should not step between the doctor and the patient.
- This bill equates contraception with abortion and suggests a fertilized egg, prior to implantation, is a pregnancy. The mainstream medical community is in complete agreement that a pregnancy begins upon implantation of a fertilized egg in the uterus; women undergoing fertility treatments would also agree.
- Emergency Contraception is a woman’s best second chance to prevent an unintended pregnancy. **If the woman is already pregnant, EC will not work.** However, with EC, time is of the essence. The sooner it is taken, the more effective it will be.
- Contraception is basic health care for women. No woman should be denied access to basic healthcare. Women should have their legal prescriptions filled in-store without discrimination or delay.