

SENATE FILE NO. SF1012

Healthcare professionals-right to prescribe medication.

Sponsored by: Senator(s) Bouchard and Representative(s)  
Laursen

A BILL

for

1 AN ACT relating to professions and occupations; allowing  
2 licensed prescribers to prescribe any medication to treat  
3 COVID-19 as specified; limiting disciplinary action for  
4 licensed prescribers and pharmacists as specified;  
5 requiring pharmacists to fill prescriptions for any  
6 medication prescribed to treat COVID-19; and providing for  
7 an effective date.

8

9 *Be It Enacted by the Legislature of the State of Wyoming:*

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11 **Section 1.** W.S. 33-24-159 is created to read:

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13 **33-24-159. Prescriptions required to be filled.**

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1 Any person who practices pharmacy in accordance with the  
2 provisions of this act and who receives an order for a  
3 prescription from a person who is licensed to legally  
4 prescribe medication in Wyoming to treat COVID-19, as  
5 defined by W.S. 1-1-141(a)(ii) or any variant thereof,  
6 shall fill and provide that prescription to the patient for  
7 who it is prescribed.

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9 **Section 2.** W.S. 33-24-122 by creating a new  
10 subsection (d) and 33-26-402 by creating a new subsection  
11 (c) are amended to read:

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13 **33-24-122. Revocation or suspension of license and**  
14 **registration; letter of admonition; summary suspension;**  
15 **administrative penalties; probation; grounds.**

16

17 (d) Unless specifically prescribed by law, the board  
18 shall take no action to suspend, revoke, refuse to renew or  
19 restrict the license, impose conditions or take any other  
20 disciplinary actions against any pharmacist who fills a  
21 prescription as required by W.S. 33-24-159 for any  
22 medication or medical treatment received from a person who  
23 is licensed and authorized to prescribe medication in the

1 state of Wyoming to treat COVID-19 as defined by W.S.  
2 1-1-141(a)(ii) or any variant thereof.

3  
4 **33-26-402. Grounds for suspension; revocation;**  
5 **restriction; imposition of conditions; refusal to renew or**  
6 **other disciplinary action.**

7  
8 (c) Unless specifically prescribed by law, the board  
9 shall take no action to suspend, revoke, refuse to renew or  
10 restrict the license, impose conditions or take any other  
11 disciplinary actions against a person who is licensed and  
12 authorized to prescribe medication in the state of Wyoming  
13 from prescribing any medication or medical treatment that  
14 the prescriber reasonably believes is likely to be  
15 effective in treating COVID-19 as defined by W.S.  
16 1-1-141(a)(ii) or any variant thereof. In consultation with  
17 their health care provider, each competent adult has the  
18 right to make their own health care decisions pursuant to  
19 article 1, section 38(a) of the Wyoming Constitution. This  
20 section shall not apply to prescriptions for substances  
21 that are listed as Schedule I or Schedule II controlled  
22 substances as prescribed under federal law or by the  
23 Wyoming Controlled Substances Act of 1971.

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2           **Section 3.** This act is effective immediately upon  
3 completion of all acts necessary for a bill to become law  
4 as provided by Article 4, Section 8 of the Wyoming  
5 Constitution.

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7

(END)