

Below is a description of state policies governing pharmacy refusals. Some states have enacted statutes or regulations governing the matter that have the force of law. In other states, pharmacy boards have issued interpretations of their laws and regulations, which do not have the force of law but provide guidance about the standard of practice, which can be used in disciplinary actions.

States with a Policy Prohibiting or Limiting Refusals to Dispense

State	Duty on Pharmacist or Pharmacy?	What is duty?	What Must Be Dispensed?	Authority
California	Both	<i>Pharmacist:</i> may refuse only with employer's consent <i>Pharmacy:</i> must ensure timely access	All drugs	CAL. BUS. & PROF. CODE §§ 4314, 4315, 733 (2005)
Illinois	Pharmacy	Must dispense	Contraception	ILL. ADMIN. CODE tit. 68, § 1330.91 (2005)
Maine	Pharmacist	Must dispense	All drugs	CODE ME. R. ch. 19 § 11 (2004) (<i>citing</i> ME. REV. STAT. ANN. tit. 32 § 13795(2))
Massachusetts	Pharmacist	Must dispense	All drugs	Pharmacy board interpretation of MASS. GEN. LAWS c. 94C, s. 19(a) (2004)
Nevada	Pharmacist	Must dispense	All drugs	Adopted Reg. of NV Board of Pharmacy, LCB File No. R036-06 (effective May 4, 2006)

States with a Policy Prohibiting Obstruction or Refusals to Transfer/Refer

State	Duty on Pharmacist or Pharmacy?	What is duty?	What Must Be Dispensed?	Authority
Delaware	Both	<i>Pharmacist:</i> no interference or abandoning patient <i>Pharmacy:</i> must ensure timely access	All drugs	Pharmacy board interpretation of professional obligations (2006)
New York	Both	<i>Pharmacist:</i> no interference or abandoning patient <i>Pharmacy:</i> must ensure timely access	All drugs	Pharmacy board interpretation of professional obligations (2005)
North Carolina	Pharmacist	No obstruction; must provide meaningful referral/transfer	All drugs	Pharmacy board interpretation of professional obligations (2005)
Oregon	Both	<i>Pharmacist:</i> notify employer; no obstruction; must provide meaningful referral/transfer <i>Pharmacy:</i> must ensure timely access	All drugs	Pharmacy board interpretation of professional obligations (2005)
Texas	Pharmacist	Must provide meaningful referral/transfer	All drugs	Pharmacy board interpretation of professional obligations (2006)

States with a Policy Permitting Refusals to Dispense

State	What Can Be Refused?	Who Can Refuse?	Requirement to Refer?	Authority
Arkansas	Contraception	Pharmacists, physicians, employees, agents, and institutions	No	ARK. CODE ANN. § 20-16-304 (1973)
Georgia	Any drug	Pharmacists	No	G.A. COMP. R. & REGS. r. 480-5-.03(n) (2001)
Mississippi	Any drug	All health care providers (including pharmacists) and institutions (including pharmacies)	No	MISS. CODE ANN. § 41-107-1 (2004)
South Dakota	Any drug "believed" to cause abortion or death	Pharmacists	No	S.D. CODIFIED LAWS § 36-11-70 (1998)