
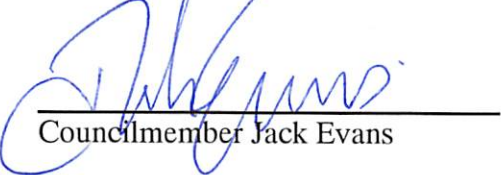



1 
2 Chairman Phil Mendelson

3 
4
5
6 Councilmember Charles Allen

7 
8
9
10 Councilmember Jack Evans


11 
12
13 Councilmember Brianne Nadeau



Councilmember Kenyan R. McDuffie

Councilmember Mary M. Cheh


Councilmember David Grosso


Councilmember Elissa Silverman

17 A BILL

21 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

25 To amend the District of Columbia Health Occupations Revision Act of 1985 to allow pharmacists
26 to dispense certain contraceptives pursuant to established protocols, and to amend The
27 Women's Health and Cancer Rights Federal Law Conformity Act of 2000 to require that a
28 health benefit plan authorize the dispensing of up to a 12-month supply of a pharmacist-
29 dispensed contraceptive.

31 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
32 act may be cited as the "Access to Contraceptives Amendment Act of 2016".

33 Sec. 2. The District of Columbia Health Occupations Revision Act of 1985, effective
34 March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), is amended as follows:

35 (a) Section 102(11)(A) (D.C. Official Code § 3-1201.02(11) is amended by striking the
36 phrase "the compounding, dispensing, and labeling of drugs and devices;" and inserting the phrase
37 "the compounding, dispensing, and labeling of drugs and devices, including self-administered
38 hormonal contraceptives, as defined pursuant to section 5a(b)(1) of The Women's Health and

39 Cancer Rights Federal Law Conformity Act of 2000, effective April 3, 2001 (D.C. Law 13-254;
40 D.C. Official Code § 31-3834.01(5a)(b)(1);” in its place.

41 (b) Section 208 (D.C. Official Code § 3-1202.08) is amended by adding a new subsection
42 (g-1) to read as follows: “

43 “(g-1)(1) A licensed pharmacist may dispense self-administered hormonal contraceptives
44 without a prescription from a physician if certified to do so by the Board and pursuant to a written
45 protocol established by the Board and the Board of Medicine.”

46 “(2) The standardized procedure or protocol shall require the following:

47 “(i) That the patient use a self-screening tool that will identify patient risk
48 factors for the use of self-administered hormonal contraceptives, based on the current United States
49 Medical Eligibility Criteria (USMEC) for Contraceptive Use developed by the Centers for Disease
50 Control and Prevention; and

51 “(ii) That the pharmacist refer the patient to the patient’s primary care
52 provider or, if the patient does not have a primary care provider, to a nearby clinic, upon dispensing
53 a self-administered hormonal contraceptive pursuant to this subdivision, or if it is determined that
54 use of a self-administered hormonal contraceptive is not recommended.”

55 “(3) The Board and the Board of Medicine, in consultation with the American
56 Congress of Obstetricians and Gynecologists, shall jointly develop and promulgate regulations to
57 implement the provisions of this subsection by October 1, 2017.”

58 Sec. 3. Section 5a of The Women's Health and Cancer Rights Federal Law Conformity Act
59 of 2000, effective April 3, 2001 (D.C. Law 13-254; D.C. Official Code § 31-3834.01), is amended
60 as follows:

61 (a) Subsection (a) is amended by striking the word “covered”.

62 (b) Subsection (c) is amended to read as follows:

63 “(c) Any individual health plan or group health plan, health insurer offering health
64 insurance coverage for prescription drugs, and health insurance coverage through Medicaid shall
65 cover self-administered hormonal contraceptives dispensed by a pharmacist. This section shall not
66 otherwise be construed to require additional coverage for contraceptives that are not covered under
67 the health benefit plan.”.

68 Sec. 4. Fiscal impact statement.

69 The Council adopts the fiscal impact statement in the committee report as the fiscal impact
70 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
71 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

72 Sec. 5. Effective date.

73 This act shall take effect following approval by the Mayor (or in the event of veto by the
74 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
75 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24,
76 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
77 Columbia Register.