



March 25, 2025

To Chair Black and the members of the House Health Care Committee

Re: S. 28 An Act Relating to Access to Certain Legally Protected Health Care Services, Sec. 11
Confidentiality of Prescriber Information on Medications for Legally Protected Health Care Activity.

The Vermont Pharmacists Association fully recognizes the impetus behind this bill and supports the intent. However, despite the willingness, the implementation of S. 28, Sec. 11. would be, as far as we can tell, impossible.

Nationwide, pharmacy software systems have specific requirements for prescription acceptance, entering/processing, and billing. There is no option in software to replace a prescriber's name on a prescription label with the name of the facility at which the practitioner is prescribing. To paraphrase another of our board members, "The only way I can think of to implement this law would require using an X-Acto knife on the prescription label."

We would recommend instead that the language of the bill be changed from "shall" to "may" remove a prescriber's name which mirrors the language put forth in the proposed NY statute. If the current language remains, then a pharmacy may not be able to dispense the medication at all since they would not be able to comply with the requirements of S.28. This is also not the intent of the legislation, nor our intent as health care providers who desire to provide this important care.

Proposed Language

Sec. 11. 26 V.S.A. § 2024 is added to read:

§ 2024. CONFIDENTIALITY OF PRESCRIBER INFORMATION ON MEDICATIONS FOR LEGALLY PROTECTED HEALTH CARE ACTIVITY

(a) As used in this section, "gender-affirming health care services" and "reproductive health care services" have the same meanings as in 1 V.S.A. § 150.

(b) Upon the request of a prescribing practitioner and to the extent not expressly prohibited under federal law, a pharmacist ~~shall~~ may not list the practitioner's name on a fulfilled prescription for medication for gender¹³ affirming health care services or reproductive health care services but shall instead list the name of the facility at which the practitioner is employed or is a contract employee.

(c) Nothing in this chapter or the rules governing the pharmacy profession shall be construed to require a pharmacist to list the prescribing practitioner's name on a fulfilled prescription for medication for gender-affirming health care services or reproductive health care services.

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