

April 16, 2025

To: Chair LaLonde and the Members of the House Judiciary Committee  
From: Lauren Bode, Legislative Liaison, Vermont Pharmacists Association  
Re: S.28 An Act Relating to Access to Certain Legally Protected Health Care Services, Sec. 13 (d) as passed by House Health Care 4/11/2025

The Vermont Pharmacists Association (VPA) appreciates the opportunity to provide testimony in support of the amended language in [S.28, Sec. 13, as passed by the House Health Care Committee on April 11, 2025](#). We are particularly supportive of the language in subsection (d) on page 26, which addresses our concerns regarding pharmacist liability.

When S.28 was first introduced, VPA was concerned about the risk of prescribers pursuing legal action against pharmacists who do not remove a prescriber's name from a prescription label through no fault of their own. Pharmacies do not always receive complete information through electronic prescribing systems as information can be delayed, lost, or never transmitted. As a result, a pharmacist may be unaware that a request to remove a prescriber's name was made. Holding pharmacists legally responsible in these situations would be unfair and could ultimately undermine patient care.

We believe the language in Sec. 13 (d) provides necessary legal protections for pharmacists in cases where a prescriber's request is missed or not received. It also ensures accountability by confirming the protections do not extend to pharmacists who willfully or knowingly ignore such requests. S.28, Sec. 13 represents a major shift from a decades-long standard of practice, and every system will be resisting its implementation. That's why it's essential to protect the lone pharmacist who is acting in good faith and without support.

This language was developed by legislative counsel in collaboration with the Vermont Medical Society, Planned Parenthood of Northern New England, the Board of Pharmacy, and the Office of Professional Regulation. This collaborative effort reflects a shared commitment to protecting prescribing providers while ensuring that pharmacists are not unfairly held legally responsible in situations beyond their control.

For these reasons, the Vermont Pharmacists Association recommends that your committee support the language in Sec. 13 as currently written.

Thank you for your consideration. Please reach out with any questions or if further clarification is needed.

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