

Hailey Biser

Dr. Rice

Health Care Ethics/Policy

11/2/2023

Pharmacists Must Base the Decision to Fill a Prescription on His/her Conscience.

I'm here today to explain some reasoning as to why pharmacists should have the right to base decisions on filling prescriptions based on their own conscience. We've discussed the ethics and oath of pharmacists when filling prescriptions and we have also looked at the conscientious objection right that they have when filling a certain prescription interferes with their personal religious morals, values, and beliefs. I want to begin with the guiding value of fairness that can be applied to this argument because it is only fair to protect pharmacists that do not want to fill prescriptions that conflict with their personal beliefs. I look at the conscientious objection I previously mentioned that was discussed in class as well as the implementation of "conscience clauses" that are being placed in some states to protect the right of health care providers to refuse services such as abortions and distribution of birth control. (Berlinger 2023) This clause gives pharmacists the right to refuse services including emergency contraception based on moral or religious values. The law known as the right to refuse with patient protections has been put into place in several states, to ensure that the patient is still receiving what they need. "Pharmacists are not allowed to obstruct a patient's right to medication which typically just requires another pharmacist in the same pharmacy to fill the prescription or it can be transferred to another pharmacy." (Schaffer 2018) This ensures fairness because the patient is still receiving the medication needed but, the original pharmacist doesn't have to set aside their personal morals of values. This can also correlate with the rights and choices model because the pharmacists have the right to refuse filling prescriptions. Pharmacists have values that may encourage them to deny a prescription and if they are able to find another pharmacist that is willing to fill the prescription, I don't see why they should not have that right to refuse. I reviewed a case from 2018 where a 32 year old woman was refused a refill on her birth control due to it interfering with the religious beliefs of her pharmacist at Walgreens. The pharmacist did not believe in the use of birth control and told the woman he personally could not fill the prescription but would be happy to transfer the prescription to another Walgreens located five miles away. The woman received her prescription from the other pharmacy and the original pharmacist did not have to set his religious values aside therefore there should be no issue because respecting other's values and beliefs should also be a priority in addition to quality patient care.

Questions:

- 1.) There are currently eight states with laws requiring pharmacists to provide care despite personal objections. Can this decision be ruled as unethical considering the right of conscientious objection?
- 2.) A CVS pharmacy in Texas fired one of their pharmacists for refusing to refill birth control prescriptions. Was this done unethically considering Texas is one of the states with a

conscience clause law or should corporate pharmacies like CVS have the right to require treatment despite the state clauses?

References:

Berlinger, N. (2023, August 1). *Conscience clauses, health care providers, and parents*. The Hastings Center. <https://www.thehastingscenter.org/briefingbook/conscience-clauses-health-care-providers-and-parents/>

Chuck, E. (2018, July 28). *Can a pharmacist legally deny a patient a prescription? it depends*. NBCNews.com. <https://www.nbcnews.com/news/us-news/can-pharmacist-legally-deny-patient-prescription-it-depends-n894871>

Schaffer, L. M. (2018, October 24). *Can a pharmacist refuse to transfer an order based on religious views ...* Find Law. <https://www.findlaw.com/legalblogs/law-and-life/can-a-pharmacist-refuse-to-transfer-an-order-based-on-religious-views/>

Wile, R. (2023, January 12). *CVS sued by fired nurse who refused to prescribe birth control due to religious beliefs*. NBCNews.com. <https://www.nbcnews.com/business/business-news/cvs-sued-fired-nurse-refused-prescribe-birth-control-religious-beliefs-rcna65508>