

## Pharmacists

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"Just as anti-choice ambulance drivers have started refusing to transport patients for emergency abortions, anti-choice pharmacists have started exploiting existing pharmacy provisions and lobbying for new ones," says Eve Gartner, a senior attorney at the Planned Parenthood Federation of America.

"Pharmacists have been asserting their right to exercise conscience for decades," counters Casey Mattox of the Center for Law and Religious Freedom, an Annandale, Va., firm that represents druggists with objections to birth control pills and emergency contraception. "In fact, they have been refusing to dispense birth control pills since they were first developed 30 years ago. All that's new are laws that could force pharmacists to either fill prescriptions over their moral or religious beliefs or leave their profession."

In the past six months, 14 states have considered "conscience clauses" that would allow pharmacists to opt out of dispensing drugs to which they have ethical objections. Four states (Arkansas, Georgia, Mississippi, and South Dakota) have already enacted such laws. And four others (California, West Virginia, Missouri and New Jersey) are weighing laws that would protect customers' ability to get prescriptions filled.

The clash may be most contentious in Illinois, where Gov. Rod Blagojevich moved on April 1 to issue an emergency rule requiring pharmacies that carry contraceptives to fill birth control and morning-after pill prescriptions "without delay." In mid-April, three Illinois pharmacists lashed back by suing Blagojevich, alleging that his rule violates laws on religious freedom.

"The political climate has brought us to a place where pharmacists feel emboldened to obstruct access to health care in the guise of religion," says Rachel Laser, senior council at the Washington-based National Women's Law Center.

The Chicago-based American College of Obstetricians and Gynecologists and the Bethesda-based National Institutes of Health both define pregnancy as beginning at implantation (when the united sperm and egg nest in the uterine lining).

Some anti-choice pharmacists, however, define

pregnancy as beginning earlier, when the sperm and egg first unite before implantation.

This difference is crucial when it comes to birth control pills and emergency contraception (which reduces a woman's risk of becoming pregnant if taken within 72 hours of unprotected sex). Both the pill and emergency contraception can prevent the united sperm and egg from implanting in the uterus, avoiding a pregnancy or preventing "life" as some anti-choice proponents define it.

The most vocal group of pharmacists espousing the pregnancy-at-fertilization argument is Pharmacists for Life International, an anti-choice organization based in Powell, Ohio, with 1,600 members on six continents.

The organization's current president, Karen Brauer, was fired in 1996 from a Kmart pharmacy in Delhi, Ohio, for refusing to fill a customer's birth control prescription then lying to the customer by claiming the pharmacy did not carry her medication in the first place. Brauer's case

was one of the first incidents of pharmacy refusal and has been used as a rallying cry for her organization's cause.

Pharmacists for Life, which did not return calls for comment, defends druggists' rights to not only refuse to fill prescriptions but to refuse to transfer them to other pharmacies. On its website, the organization calls birth control pills "chemical abortion," an "evil," and a form of "baby killing." Such extreme views are actually relatively rare among the country's approximately

200,000 pharmacists, says Kathy Besinque, an associate professor at the University of Southern California School of Pharmacy in Los Angeles.

"When it comes to birth control and emergency contraception access, surveys show that only 9 percent of pharmacists have qualms about these medications, but that even they are dispensing these drugs nonetheless," she said.

The Washington-based American Pharmacists Association maintains that pharmacists can refuse to fill pre-

scriptions based on moral or religious objections, provided they have another pharmacist on hand to do the job or transfer prescriptions to a nearby pharmacy.

Susan Winckler, a spokesperson for the association, said, "If the pharmacist is the only one practicing in a rural area, he or she can alert local doctors and have them dispense medications instead."

Molly M. Ginty writes for the *Womens e-News*, additional reporting by *Womens e-News* correspondent Cynthia L. Cooper.

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