

**New Mexico Statewide Standing Order for Registered Pharmacist to Dispense Over the Counter  
(OTC) Emergency Contraceptive Pills  
December 23, 2024**

**Section A: Authority**

This standing order authorizes any New Mexico registered pharmacist, in accordance with the conditions of their licensure, to dispense any FDA approved over the counter (OTC) Emergency Contraceptive to individuals physically present in New Mexico. **This standing order may be used when an individual's insurance would not otherwise cover such a claim submitted under the pharmacist's NPI number.** This standing order also serves as a prescription to address an age-based prescription requirement, if any, for an emergency contraceptive pill.

State law requires that insurers shall not require a prescription for any drug, item or service that is available without a prescription (NM Stat. § 59A-22-42).

**Section B: Purpose**

Access to reproductive health services is an important public health intervention that enables individuals to more fully engage in family planning that supports their personal health and wellbeing. The purpose of this standing order is to reduce barriers to safe, effective reproductive healthcare by removing barriers to coverage if an individual has insurance.

**Section C: Order and Dispensing Procedures**

**1. Information and Eligibility Criteria**

Indication: Emergency contraceptives suppress ovulation, the release of eggs from the ovaries, as well as makes it more difficult for the sperm and egg to meet. It is indicated for use by people of reproductive age capable of becoming pregnant to prevent pregnancy following unprotected sex.

Note that effectiveness of emergency contraceptives is limited by factors such as the type (e.g., copper IUC versus oral), timing (should be taken as soon as possible after unprotected intercourse), and body mass. Oral emergency contraceptives are not effective as routine contraception since the failure rate accumulates over time with repeated use. Therefore, oral emergency contraception should be used as a backup method. Emergency contraception does not reduce the risk of STDs.

Note that oral emergency contraceptives will NOT disrupt an established pregnancy – it does not cause a medical abortion - and do not cause harm to a developing fetus.

Eligibility: Individuals of childbearing potential who request an OTC emergency contraceptive and meet criteria as described in Section A. A person does not have to demonstrate proof of risk in order to be eligible. Additionally, the medication may be provided for future use by the person.

## 2. Order to Dispense

The pharmacist may dispense one of the following products based on product availability and preference:

<p><b>Levonorgestrel tablet, 1.5mg</b> Dispense: 1 pack Refill: PRN Directions for use: Use as directed on package. Read medication drug facts on the package labeling before taking.</p>
<p>Any other progestin-only OTC oral emergency contraceptive medication commercially available and FDA approved for contraception. Dispense: 1 pack Refill: PRN Directions for use: Use as directed on package labeling. Read medication drug facts on the package labeling before taking.</p> <p>NOTE: this standing order does <b>NOT</b> cover emergency contraception with ulipristal acetate.</p>

## 3. Emergency Contraceptive Education

Patients should be instructed to read the Drug Facts on the OTC packaging prior to taking the medication.

The pharmacist may provide additional anticipatory guidance depending on the need of the patient, guardian/parent, or patient's designated representative. Resources include:

- a. CDC Reproductive Health - [www.cdc.gov/reproductivehealth/contraception/index.htm](http://www.cdc.gov/reproductivehealth/contraception/index.htm)
- b. NMDOH Birth Control and Emergency Contraception - <https://www.nmhealth.org/about/phd/fhb/arh/bcec/>
- c. The pharmacist may also provide the New Mexico Reproductive Health Hotline at **1-833-76REPRO (1-833-767-3776)** for additional counseling or resources.

## 4. Insurance and Billing

For billing purposes, pharmacy staff will collect patient's insurance information necessary to bill insurance for the selected FDA approved OTC emergency contraceptive.

- Note insurance coverage and dispensing limits of OTC emergency contraceptives may vary based on policies of individual insurance plans. This standing order does not guarantee coverage.

## Section D: Limits

This standing order does not establish the New Mexico Department of Health, or its clinicians, or the dispensing pharmacist as the healthcare provider for the individual. Individuals seeking more comprehensive reproductive healthcare should see a primary care provider.

This standing order does not expire and shall remain in effect unless revoked or replaced by New Mexico Department of Health. This standing order will be reviewed and updated as needed.

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