

MEDICAL BOARD OF CALIFORNIA
LEGISLATIVE ANALYSIS

BILL NUMBER: AB 1587
 AUTHOR: Ta
 BILL DATE: January 15, 2026, Introduced
 SUBJECT: Prescription Drugs for Life-Threatening Conditions
 SPONSOR: Author

DESCRIPTION OF CURRENT LEGISLATION:

Authorizes a pharmacist to provide up to a 30-day supply for a prescription drug for a life-threatening condition, as defined, if the pharmacy, or another pharmacy under common control with the pharmacy, has previously furnished that drug to the patient and the patient is unable to secure a new prescription for the drug before their supply is exhausted. States that the pharmacist or pharmacy shall not incur any liability for dispensing a medication pursuant to this legislation.

BACKGROUND

[Article 3 of Chapter 9 of Division 2 of Business and Profession Code \(BPC\)](#) generally provides for the scope of practice that authorizes a pharmacist to perform their duties. [BPC section 4050\(c\)](#) states that “[p]harmacist practice is a dynamic, patient-oriented health service that applies a scientific body of knowledge to improve and promote patient health by means of patient-care activities to optimize appropriate drug use, drug-related therapy, disease management and prevention, and communication for clinical and consultative purposes. Pharmacists and pharmacies in this state are licensed and regulated by the California State Board of Pharmacy (BOP).

[BPC section 4064](#) authorizes a pharmacist to refill a prescription for medication without the prescriber’s authorization if the prescriber is unavailable to authorize the refill and if, in the pharmacist’s professional judgment, failure to refill the prescription might interrupt the patient’s ongoing care and have a significant adverse effect on the patient’s well-being.

AB 1587 uses the definition of “life-threatening” in [Health and Safety Code section 1367.21\(e\)](#), which means either or both of the following:

- Diseases or conditions where the likelihood of death is high unless the course of the disease is interrupted.
- Diseases or conditions with potentially fatal outcomes, where the end point of clinical intervention is survival.

ANALYSIS

According to the author's fact sheet:

“People frequently lose their physician for various reasons, such as retirement or relocation. This is particularly prevalent for Medi-Cal patients as doctors are departing the program, leaving patients without a primary physician to refill prescriptions. This disproportionately impacts the poor and the homeless.

[A]pproximately 130,000 to 300,000 providers, including doctors and pharmacists, participate in California's Medi-Cal program. This gives the current patient-to-physician ratio participating in the Medi-Cal program around 1:114. Given this, if a doctor leaves Medi-Cal due to insufficient reimbursement, it might take a patient longer to find a new physician. This is especially stressful if they rely on a life-saving medication, like insulin, to survive.

Delays in care should not place patients in a position where they need to ration life-saving medication as they seek continued care. Assembly Bill 1587 ensures that patients who undergo a period of transition between doctors or insurance coverage will be able to have a previously established prescription refilled by a pharmacist for one month. This bill will buy precious time for patients whose lives rely on lifesaving medication. AB 1587 will also protect the pharmacists who dispense the refills.”

According to the author's office, they believe current law (see BPC section 4064) may not clearly authorize a pharmacist to refill a prescription if the patient does not have a current prescriber and this is intended to help prevent patients from losing access to necessary medications while they are looking for a new prescriber. If a patient does not have a current prescriber, the author's office believes that a pharmacist may be unwilling to refill a life-saving prescription, such as insulin, to their patient.

Proposed Author Amendments

The author's office indicates that they plan to amend the bill to strike the current contents and replace it with changes to BPC section 4064 (proposed additions shown in *italics and underline*):

4064.

(a) A prescription for a dangerous drug or dangerous device may be refilled without the prescriber's authorization if the prescriber is unavailable to authorize the refill and if, in the pharmacist's professional judgment, failure to refill the prescription might interrupt the patient's ongoing care and have a significant adverse effect on the patient's well-being.

(b) The pharmacist shall inform the patient that the prescription was refilled pursuant to this section.

(c) The pharmacist shall inform the prescriber within a reasonable period of time of any refills dispensed pursuant to this section.

(d) If the patient loses their prescriber and is in the process of securing a new prescriber, the pharmacist may furnish up to a 60-day supply of a prescription drug for a life-threatening condition if the pharmacy, or another pharmacy under common control with the pharmacy, has previously furnished that drug to the patient and the patient is unable to secure a new prescription for the drug before their supply is exhausted.

(1) The pharmacist or pharmacy shall not incur any liability as the result of furnishing a prescription drug for a life-threatening condition pursuant to this subdivision.

(2) For purposes of this subdivision, "life-threatening" has the same meaning as defined in Section 1367.21 of the Health and Safety Code.

Board Staff Comments on Proposed Amendments

As compared to the current version of the bill, the proposed version is only applicable to patients who have no current prescriber and are in the process of finding a new one. The pharmacist in question would be responsible to determine whether the patient meets these requirements.

The Board typically opposes including language in the law that shields licensees from discipline, or other sanctions related to the practice of medicine. These provisions are unnecessary and could shield a health care provider from appropriate enforcement action for unprofessional conduct. In this case, it could possibly prevent BOP from taking enforcement actions that BOP deems necessary.

Consideration of a Board Position

The bill is well-intentioned; however, current law may already be sufficient in this area to allow a pharmacist to dispense medications under the circumstances described above. Both versions of the bill include liability protections that could prevent the BOP, or other authorities, from taking appropriate action against a pharmacist who fails to properly care for their patient.

Given the factors described above, and considering that this bill falls within the jurisdiction of the BOP, Board staff recommends that the Board direct staff to do the following:

- Send a letter to the author, copying the Assembly Committee on Business & Professions, stating the Board's objections to placing language in statute that could prevent regulators or other authorities from taking appropriate action to

address unprofessional conduct and urge the author to collaborate with the BOP to determine whether any changes to the law are necessary.

- Provide an update on this matter at the next Quarterly Board Meeting.

FISCAL: None identified.

SUPPORT: None identified.

OPPOSITION: None identified.

POSITION: Recommendation: No position recommended. Rather, direct staff to take the actions described above.

ATTACHMENT: [AB 1587, Ta. Prescription Drugs for Life-Threatening Conditions.](#)
Version: 1/15/26 – Introduced