

Case 11

In April of 2004 Julie Lacey of Fort Worth, Texas was told by a pharmacist at her CVS local drugstore: "I personally don't believe in birth control, so I'm not going to fill your prescription. Outraged, Ms Lacey, who had come to the drugstore at night for a last-minute refill of her prescription for the Pill, immediately protested to the assistant store manager. This did not result in her getting the prescription filled, so the next day she lodged a complaint with the CVS district manager. After doing so she received a call from the pharmacy supervisor, apologizing, and assuring her he would have her prescription filled and sent to her that day.

Situations similar to the one encountered by Ms Lacey have become an increasing matter of concern to groups concerned with reproductive rights. "Refusing woman the Pill is a very disturbing trend, " said Gloria Feldt, President of Planned Parenthood Federation of America. On the other side of the issue, members of Pharmacists for Life International, an anti-abortion group, contend that they have the right to refuse to fill prescriptions for the Pill. According to the organization's President, Karen Brauer, R.Ph., "our job is to enhance life. We should not have to dispense a medication that we think takes lives."

In regard to the claim that the Pill "takes lives," many anti-abortion pharmacists (and anti-abortion physicians also) accept the idea of a "post-fertilization effect" associated with use of the Pill. This idea is developed (as well as elsewhere) in an article authored by Dr. Joseph B. Stanford, Assistant Professor of Family and Preventive Medicine at the University of Utah (Archives of Family Medicine, Feb., 2000), cited widely by anti-Pill groups. In Dr. Stanford's opinion, the Pill fails to prevent ovulation and fertilization of eggs with much greater frequency than most experts maintain. Furthermore, according to Dr. Stanford, such fertilized eggs (which anti-abortionists consider to qualify as human beings) cannot attach to the uterine wall because, he believes, the wall becomes hormonally altered when a woman uses the Pill.

The claim that the Pill hinders implantation, however, has never been confirmed scientifically, according to Dr. David Grimes, a clinical professor of Obstetrics and Gynecology at the University of North Carolina School of Medicine, and a leading authority on contraception. Even the American Association of Pro-Life Obstetricians and Gynecologists concedes that it is only speculation, says Dr. Grimes. Furthermore, reproductive rights groups point out that in addition to preventing unwanted pregnancies, oral contraceptives may be used for other important purposes. For example, they note, the Pill may reduce the risk of cervical cancer. "There are easily more than twenty non-contraceptive uses for the Pill", according to Dr. Giovanna Anthony, an attending physician in obstetrics and gynecology at Beth Israel Hospital in New York City.

At this time three states, Arkansas, Mississippi, and South Dakota, have enacted "conscience clauses" that provide legal protection specifically to pharmacists who refuse services on moral, ethical, or legal grounds. Similar legislation has been introduced recently in eleven more states. The laws of most states, however, allow drugstores to require pharmacists in their employ to sign agreements that they will dispense all lawfully prescribed medications. Recently a pharmacist in Wisconsin (allegedly) refused to fill a woman's prescription for the Pill, and the State department of regulation and licensing filed a complaint against the pharmacist.

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