

Miss. Code Ann. § 73-21-121
MISSISSIPPI CODE of 1972
Current through 2021 Regular Session
TITLE 73. PROFESSIONS AND VOCATIONS
CHAPTER 21. PHARMACISTS
MISSISSIPPI PHARMACY PRACTICE ACT
Miss. Code Ann. § 73-21-121

§ 73-21-121. Immunity from civil or criminal liability of dispensing pharmacists and prescribers; immunity from civil liability of persons providing information to board or pharmacist organization; disclosure of information in records of board or pharmacist organization [Repealed effective July 1, 2025].

- (1)** Product selection as authorized by Sections 73-21-115 through 73-21-119 shall not constitute evidence of negligence by the dispensing pharmacist when such product selection is in accordance with reasonable and prudent pharmacy practice. No prescriber shall be liable for civil damages or in any criminal prosecution arising from the incorrect product selection by a pharmacist.
- (2)** Any person having knowledge relating to a pharmacist or to a pharmacy student which might provide grounds for disciplinary action by the board may report relevant facts to the board, and shall by reason of reporting such facts in good faith be immune from civil liability.
- (3)** Any person furnishing information in the form of data, reports or records to the board or to a pharmacist organization approved by the board to receive such information, where such information is furnished for the purpose of aiding a pharmacist or a pharmacy student impaired by chemical abuse or by mental or by physical illness, shall by reason of furnishing such information in good faith be immune from civil liability.
- (4)** The records of the board or the records of a pharmacist organization approved by the board to aid pharmacists or pharmacy students impaired by chemical abuse, where such records relate to the impairment, shall be confidential and are not considered open records; provided, however, the board may disclose this confidential information only:
- (a)** In a disciplinary hearing before the board, or in an appeal of an action or order of the board;
 - (b)** To the pharmacist licensing or disciplinary authorities of other jurisdictions in the case of a pharmacist who is licensed in, or seeking transfer to, another state; or
 - (c)** Pursuant to an order of a court of competent jurisdiction.

History: Laws, 1983, ch. 414, § 27; Laws, 1991, ch. 527, § 26; reenacted, Laws, 1993, ch. 416, § 27; reenacted without change, Laws, 1998, ch. 511, § 28; reenacted without change, Laws, 2002, ch. 501, § 28; reenacted without change, Laws, 2006, ch. 533, § 27; reenacted without change, Laws, 2011, ch. 546, § 26; reenacted without change, Laws, 2016, ch. 448, § 29, eff from and after July 1, 2016; reenacted without change, Laws, 2020, ch. 419, § 28, eff from and after July 1, 2020.