

Miss. Code Ann. § 73-21-125
MISSISSIPPI CODE of 1972
Current through 2021 Regular Session
TITLE 73. PROFESSIONS AND VOCATIONS
CHAPTER 21. PHARMACISTS
MISSISSIPPI PHARMACY PRACTICE ACT
Miss. Code Ann. § 73-21-125

§ 73-21-125. Community pharmacies and pharmacists and volunteers working therein immune from civil liability for actions arising out of provision of charitable or gratuitous pharmaceutical products [Repealed effective July 1, 2025].

(1) Any community pharmacy, including a faith-based community pharmacy, or any licensed pharmacist who voluntarily provides charitable services in a community pharmacy, or any other person who serves as a volunteer in a community pharmacy, shall be immune from liability for any civil action arising out of supplying pharmaceutical products in the course of providing such charitable or gratuitous pharmaceutical products. This section shall not extend immunity to acts of gross negligence or willful or wanton misconduct or to the manufacturer or designer of products provided.

(2) Any community pharmacy seeking immunity under this section shall post a notice, in a conspicuous place adjacent to the area where prescriptions are picked up by consumers, reading substantially as follows: "NOTICE: If you are harmed by medication that you receive here, you do not have the same legal recourse as you have against other pharmacies." Failure to post the notice negates the immunity from liability provided under this section. The notice shall be no less than eleven (11) by fourteen (14) inches in size, and the type used shall be no smaller than thirty-six (36) point and surrounded by a one-inch solid black border.

(3) For purposes of this section, "community pharmacy" means a pharmacy operated solely for charitable purposes, whose only function is to supply gratuitous pharmaceutical products, and which is operated by a nonprofit organization qualified or eligible for qualification as a tax-exempt organization under 26 USCS 501.

History: Laws, 2005, ch. 459, § 1; brought forward without change, Laws, 2016, ch. 448, § 31, eff from and after July 1, 2016; reenacted without change, Laws, 2020, ch. 419, § 30, eff from and after July 1, 2020.