New Law Allows Californians to Get PrEP and PEP Without a Prescription

Beginning January 1, pharmacists can provide an initial supply of the pills that prevent HIV.

October 8, 2019 By Trent Straube

Starting in 2020, Californians at risk of contracting HIV will have much easier access to prevention treatments PrEP and PEP (pre- and post-exposure prophylaxis) thanks to a law signed by Governor Gavin Newsom.

Specifically, Senate Bill 159 allows pharmacists to provide clients with an initial 28-day course of PEP and a 60-day supply of PrEP without a prescription. To continue taking the once-daily PrEP regimen beyond the first two months, people will need to see a physician. What's more, insurance companies are not allowed to require customers to obtain prior authorization before using their insurance benefits when getting PrEP and PEP.

BREAKING: @GavinNewsom signed our legislation (#SB159) to expand access to #PrEP/PEP, by allowing pharmacists to furnish them w/o physician Rx & banning insurance prior authorization.

It's 1st-in-nation law. It'll significantly expand access to these powerful #HIV preventatives.

pic.twitter.com/n8msoCOaMO

— Scott Wiener (@Scott_Wiener) October 7, 2019

State Senator Scott Wiener (D–San Francisco) introduced the legislation earlier this year, and the bill passed that chamber in May (for more about that in POZ, click here).

“To end new HIV infections, we must dramatically expand access to PrEP and PEP, yet far too many Californians who need these drugs struggle to access them,” Wiener said in a tweeted statement. “SB 159 will keep more Californians HIV negative and help us end this epidemic. I applaud Governor Newsom for signing this first-in-the-nation legislation to remove barriers to these critical HIV preventatives.”

When taken as directed, PrEP reduces the risk of acquiring HIV by 99% in men who have sex with men, according to recently updated data from the Centers for Disease Control and Prevention. Among heterosexual men and women, the effectiveness is estimated to be between 88% and 90%; for people who inject drugs, the range is between 74% and 84%. Effectiveness is also dependent on adherence.

The Food and Drug Administration approved Truvada as PrEP in 2012, and just last week, it approved Descovy as PrEP. For more about that, including differences in the two meds, click here.

PEP—post-exposure prophylaxis—is also highly effective, but the 28-day regimen must be started within 72 hours of possible exposure, preferably sooner. That time frame can be a barrier to access, Rick Zbur, the executive director or Equality California, tells The Associated Press. The new law, he said, will reduce that barrier and also decrease stigma, particularly in rural areas and among minorities.

The California Medical Association at first opposed SB 159, the AP reports, but became “neutral” once the bill was amended to limit the number of PrEP pills a person can get without a prescription.

Weiner made headlines in 2014 when he announced he was taking PrEP.

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