



2026 South Dakota Legislature

House Bill 1068

HOUSE HEALTH AND HUMAN SERVICES ENGROSSED

Introduced by: **Representative Andera**

1 **An Act to authorize the dispensing of ivermectin and hydroxychloroquine under a**
 2 **written protocol developed by a health care provider, and to provide liability**
 3 **protection therefor.**

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 **Section 1. That a NEW SECTION be added to chapter 36-11:**

6 A pharmacist may dispense ivermectin or hydroxychloroquine to an individual who
 7 is eighteen years or older in accordance with a written protocol, developed by a licensed
 8 health care provider acting within the provider's scope of practice, containing a non-
 9 patient-specific prescriptive order. The written protocol must address providing the
 10 individual with:

11 (1) A screening risk assessment tool for each drug; and

12 (2) Information on:

13 (a) Indications and contraindications for the use of the drug;

14 (b) The appropriate method for using the drug; and

15 (c) Evaluating and treating adverse events.

16 The pharmacist shall retain a copy of the written protocol at the pharmacist's place
 17 of practice.

18 A pharmacist, acting in good faith in accordance with this section, is not criminally
 19 or civilly liable, or subject to disciplinary or adverse action from the board, except if the
 20 actions constitute gross negligence or willful misconduct.

21 Any other health care provider, acting in good faith in accordance with this section,
 22 is not criminally or civilly liable, or subject to disciplinary or adverse action from the
 23 provider's licensure board, except if the actions constitute gross negligence or willful
 24 misconduct.