**ACLU: Michigan pharmacist refused prescription to woman having miscarriage**

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The American Civil Liberties Union of Michigan filed a complaint with Meijer on Wednesday, saying a woman was denied a prescription to complete her miscarriage from a Petoskey pharmacist.

Rachel Peterson, 35, had a miscarriage in her first trimester while on vacation with her family in Petoskey. She alleges a pharmacist at the Meijer store in Petoskey refused to fill the prescription issued by her doctor for misoprostol, a medication commonly used to treat ulcers, start labor or for miscarriages.

Peterson said her doctor called in the prescription on July 1 and told her that the medication had to be taken quickly to avoid having to undergo a more invasive surgical procedure.

An hour later, Peterson received a call from a pharmacist at the Meijer on Lears Road, who told her *"as a good Catholic male,"* he could not *"in good conscience fill the prescription"* because he believed it was her intention to use it to end a pregnancy.

*"It was a roller coaster of emotions,"* said Peterson. *"I was so upset from the loss in general, and I was confused, angry, upset and wasn't sure why someone would say these things. When I told him that my OB/GYN had already confirmed the loss of the fetus, he said: 'That's your word and I don't believe you,' and being called a liar was even more difficult."*

Peterson said the pharmacist refused to let her speak to another pharmacist or transfer her prescription to another pharmacy. She called another Meijer pharmacy and spoke with the pharmacist, who was apologetic and transferred her medication to Ionia.

*"We left our vacation in Petoskey and drove more than three hours to the Meijer in Ionia to get the medication, which had to be taken soon,"* said Peterson. *"No one should have to go through this."*

Merissa Kovach, a policy strategist for the ACLU of Michigan, said the initial pharmacist's act was discriminatory and violated Michigan’s public accommodations laws.

*"He humiliated her when she was experiencing one of the worst times in her life,"* said Kovach. *"She reached out to us after the incident happened in the summer and, unfortunately, Michigan doesn't have a law that forces pharmacists to distribute medication as prescribed but (the incident) does step on public accommodation laws."*



Rachel and Robby Peterson of Ionia, Michigan. (Photo11: ACLU of Michigan)

The Michigan Department of Licensing and Regulatory Affairs said they have not received any formal complaints on the pharmacist and his license still is active.

Christina Fecher, a Meijer spokeswoman, said they received the ACLU's letter and have investigated Peterson's claims.

*“... And while we cannot discuss this specific matter due to federal and state privacy laws that protect health information, we want all of our pharmacy customers to know of our practices regarding a pharmacist's ability to refuse to fill a prescription,"* Fecher said in a statement. *"Our practice is based upon our overwhelming concern for patient safety and care, balanced with the need to accommodate the religious beliefs of our employees."*

She said a pharmacist may refuse to fill a prescription based on religious beliefs. However, they must hand off the prescription to be filled by another pharmacist.

*"If no other pharmacist is available, the pharmacist must consult with the patient to arrange for the transfer of the prescription to another pharmacy that is convenient to them,"* Fecher said.

The policy is consistent with the American Pharmacist Association and Michigan Pharmacist Association guidelines.

*"A pharmacist does have a right of conscientious objection, but we believe the pharmacist is obligated to connect the patient with another pharmacist or pharmacy to get the medication needed,"* said Larry Wagenknecht, CEO of Michigan Pharmacists Association. *"It's an unfortunate situation. We're not aware of any law that mandated pharmacists fill prescriptions, but that's due to politics. The abortion issue in Michigan has always been complicated and forever will be."*

Kovach said it's unclear if another pharmacist was available at the time of the incident, but she believes Peterson didn't receive her medication because she's a woman.

*“All women should be able to go to a Meijer pharmacy to obtain the medicine they need without fear of discrimination,”* said Kovach. *“She was refused this medication simply because she is a woman ... clearly (she) was a victim of sex discrimination. Had the customer been a man prescribed the same medication, that is also commonly used to treat ulcers, we have no doubt the pharmacist would have filled it.”*

The letter submitted by the ACLU on Wednesday asks for an immediate investigation and to instate a new policy to ensure patients have access to prescribed medication.

*"I just don’t want anyone to be denied their medication for religious beliefs,"* said Peterson. *"Pharmacists should fulfill their duties to provide medications and establish that clear policy moving forward."*

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