1	н. в. 2104
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3	(By Delegates Iaquinta, Barker, Fragale and Azinger)
4	[Introduced January 12, 2011; referred to the
5	Committee on Health and Human Resources then the
6	Judiciary.]
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11	A BILL to amend the Code of West Virginia, 1931, as amended, by
12	adding thereto a new section, designated §5-16C-9a, relating
13	to providing unused, unexpired nonnarcotic drugs to free
14	health care clinics in the state from deceased nursing home
15	patients or residents with the consent of the family of the
16	decedent.
17	Be it enacted by the Legislature of West Virginia:
18	That the Code of West Virginia, 1931, as amended, be amended
19	by adding thereto a new section, designated §5-16C-9a, to read as
20	follows:
21	ARTICLE 16C. PRESCRIPTION DRUG COST MANAGEMENT ACT.
22	§5-16C-9a. Unused, unexpired nonnarcotic drugs donated to free
23	health care clinics from nursing homes; permission
24	of decedent's family required.

The director shall institute a program whereby unused,
unexpired nonnarcotic drugs, previously owned by nursing home
patients or residents who subsequently have died, may be donated to
free health care clinics throughout the state: Provided, That the
family of the deceased nursing home patient or resident gives
consent for the donation of these drugs. The director shall
dispense these donated drugs in an equitable manner as is
practicable throughout the free health care clinics in the state,
unless the director has established that there is a specific need
unless the director has established that there is a specific need
particular drug.

NOTE: The purpose of this bill is to provide a mechanism whereby unused, unexpired nonnarcotic drugs previously owned by a deceased nursing home patient or resident may be donated to free health care clinics in the state, provided that the family of the deceased patient or resident has given consent for the donation.

This section is new; therefore, it has been completely underscored.