

1 **ENROLLED**

2 **Senate Bill No. 285**

3
4 (BY SENATORS STOLLINGS, FOSTER, HALL, JENKINS, LAIRD, PALUMBO, PREZIOSO,
5 TUCKER, WILLS AND YOST)

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8 [Passed March 12, 2011; in effect ninety days from passage.]
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10 AN ACT to amend and reenact §16-5W-5 of the Code of West Virginia,
11 1931, as amended, relating to extending the time frame in
12 which West Virginia practitioners must write prescriptions on
13 official West Virginia tamper-resistant prescription paper.
14

15 *Be it enacted by the Legislature of West Virginia:*

16 That §16-5W-5 of the Code of West Virginia, 1931, as amended,
17 be amended and reenacted to read as follows:

18 **ARTICLE 5W. WEST VIRGINIA OFFICIAL PRESCRIPTION PROGRAM ACT.**

19 **§16-5W-5. Legislative rules.**

20 The board shall propose rules for legislative approval in
21 accordance with the provisions of article three, chapter
22 twenty-nine-a of this code to accomplish the requirements of this
23 article.

24 The legislative rules shall include, at a minimum:

1 (1) That on and after January 1, 2012, every prescription
2 written in West Virginia by a practitioner shall be written on
3 official West Virginia tamper-resistant prescription paper.

4 (2) Contracting requirements for contracting with a program
5 vendor or vendors including auditing requirements for printing
6 facilities and standard prescription pad formatting requirements.

7 (3) Standard format for prescription paper and the development
8 of identifying markers on prescription paper. These markers shall
9 be on the front and back of the prescription paper to be used by
10 practitioners throughout the state.

11 (4) A means of reporting unauthorized use, theft or
12 destruction of authorized state prescription paper.

13 (5) Fees for the distribution of standard format prescription
14 paper to practitioners and facilities.