

Senate Bill No. 285

(By Senators Stollings, Foster, Hall, Jenkins, Laird,
Palumbo, Prezioso, Tucker, Wills and Yost)

[Originating in the Committee on Health and
Human Resources; reported January 26, 2011.]

A BILL to amend and reenact §16-5W-5 of the Code of West Virginia, 1931, as amended, relating to extending the time frame in which West Virginia practitioners must write prescriptions on official West Virginia tamper-resistant prescription paper.

Be it enacted by the Legislature of West Virginia:

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

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

§16-5W-5. Legislative rules.

1 The board shall propose rules for legislative approval in
2 accordance with the provisions of article three, chapter

3 twenty-nine-a of this code to accomplish the requirements of
4 this article.

5 The legislative rules shall include, at a minimum:

6 (1) That on ~~July 1, 2011~~ January 1, 2012, every prescription
7 written in West Virginia by a practitioner shall be written on
8 official West Virginia tamper-resistant prescription paper.

9 (2) Contracting requirements for contracting with a
10 program vendor or vendors including auditing requirements
11 for printing facilities and standard prescription pad format-
12 ting requirements.

13 (3) Standard format for prescription paper and the devel-
14 opment of identifying markers on prescription paper. These
15 markers shall be on the front and back of the prescription
16 paper to be used by practitioners throughout the state.

17 (4) A means of reporting unauthorized use, theft or de-
18 struction of authorized state prescription paper.

19 (5) Fees for the distribution of standard format prescrip-
20 tion paper to practitioners and facilities.

(NOTE: Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.)