

**H. B. 2432**

(By Delegates Ellington, Householder, Arvon, Howell and Stansbury)

[Introduced January 27, 2015; referred to the

Committee on Health and Human Resources then Government Organization.]

A BILL to amend and reenact §30-5-9 of the Code of West Virginia, 1931, as amended, relating to the licensure requirements to practice pharmacist care.

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

That §30-5-9 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 5. PHARMACISTS, PHARMACY TECHNICIANS, PHARMACY INTERNS  
AND PHARMACIES.**

**§30-5-9. Qualifications for licensure as pharmacist.**

(a) To be eligible for a license to practice pharmacist care under the provisions of this article, the applicant shall:

- (1) Submit a written application to the board;
- (2) Be eighteen years of age or older;
- (3) Pay all applicable fees;

- 1 (4) Graduate from an accredited school of pharmacy;
- 2 (5) Complete at least fifteen hundred hours of internship in a pharmacy under the instruction  
3 and supervision of a pharmacist;
- 4 (6) Pass an examination or examinations approved by the board;
- 5 (7) Not be an alcohol or drug abuser, as these terms are defined in section eleven, article one-  
6 a, chapter twenty-seven of this code: *Provided*, That an applicant in an active recovery process,  
7 which may, in the discretion of the board, be evidenced by participation in a twelve-step program  
8 or other similar group or process, may be considered;
- 9 (8) Present to the board satisfactory evidence that he or she is a person of good moral  
10 character, has ~~not been convicted of a felony involving controlled substances or violent crime~~;
- 11 ~~(9)~~ not been convicted in any jurisdiction of a felony or any crime which bears a rational  
12 nexus to the individual's ability to practice pharmacist care: *Provided*, That an applicant with a  
13 felony conviction may apply to the board for licensure no sooner than five years after the date of the  
14 conviction. The board shall evaluate each applicant on a case by case basis; and
- 15 ~~(10)~~ (9) Has fulfilled any other requirement specified by the board in rule.
- 16 (b) An applicant from another jurisdiction shall comply with all the requirements of this  
17 article.

NOTE: The purpose of this bill is to permit the Board of Pharmacy to decide whether a person with a felony is qualified for licensure on a case by case basis.

Strike-throughs indicate language that would be stricken from the present law, and

underscoring indicates new language that would be added.