

# **WEST VIRGINIA LEGISLATURE**

## **2017 REGULAR SESSION**

**Introduced**

### **House Bill 2989**

BY DELEGATE BALDWIN

[Introduced March 14, 2017; Referred  
to the Committee on Health and Human Resources  
then the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §60A-3-309, relating to placing limitations on length of time that prescriptions  
 3 may be issued for schedule II and III controlled substances; and defining a term.

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

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new  
 2 section, designated §60A-3-309, to read as follows:

**ARTICLE 3. REGULATION OF MANUFACTURE, DISTRIBUTION AND DISPENSING  
 OF CONTROLLED SUBSTANCES.**

**§60A-3-309. Limitation of length of prescriptions.**

1 (a) "Acute pain" means pain, whether resulting from disease, accidental or intentional  
 2 trauma, or other cause, that is reasonably expected to last only a short or finite period of time.

3 The term does not include chronic pain, or pain being treated as part of cancer care, hospice or  
 4 other end of life care.

5 (b) A practitioner may not prescribe more than a seven-day supply of a schedule II or III  
 6 controlled substance for a patient upon the initial consultation or treatment of the patient for acute  
 7 pain. After issuing the initial prescription and evaluating the patient's condition, the practitioner  
 8 may issue any appropriate renewal, refill or new prescription for the controlled substance or  
 9 another drug for the patient.

NOTE: The purpose of this bill is to place limitations on length of time that prescriptions may be issued for schedule II and III controlled substances. The bill defines a term.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.