

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

Senate Bill 407

By Senator Chapman

[Introduced January 12, 2024; referred
to the Committee on Health and Human Resources;
Government Organization]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
 2 designated §30-5A-1, §30-5A-2, and §30-5A-3, all relating to creating the Pharmacist
 3 Prescribing Authority Act; authorizing pharmacists to prescribe low-risk medications to
 4 patients; and listing the limitations of the prescriptions that fall under that authority.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5A. PHARMACIST PRESCRIBING AUTHORITY ACT.

§30-5A-1. Short title.

This Act shall be known and may be cited as the Pharmacist Prescribing Authority Act.

§30-5A-2. Purpose.

1 The purpose of this Act is to authorize pharmacists to practice the full extent of their
 2 education and training to prescribe low-risk medications to patients.

§30-5A-3. Practice of Pharmacy.

1 Practice of Pharmacy includes all of article 5 of this Chapter, as well as:

2 The prescribing of:

3 Drugs, drug categories, or devices, excluding controlled substances, that are prescribed in
 4 accordance with the product's federal Food and Drug Administration-approved labeling and that
 5 are limited to conditions that:

6 (i) Do not require a new diagnosis;

7 (ii) Are minor and generally self-limiting;

8 (iii) Have a test that is used to guide diagnosis or clinical decision-making and are waived
 9 under the federal clinical laboratory improvement amendments of 1988; or

10 (iv) In the professional judgment of the pharmacist, are patient emergencies.

NOTE: The purpose of this bill is to authorize pharmacists to practice the full extent of their education and training to prescribe low-risk medications to patients.

Strike-throughs indicate language that would be stricken from a heading or the present law

and underscoring indicates new language that would be added.