

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

### **Engrossed Committee Substitute for Senate Bill 526**

BY SENATORS CHAPMAN AND ROSE

[Reported March 11, 2025, from the Committee on  
Government Organization]



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

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

## **ARTICLE 5A. PHARMACIST PRESCRIBING AUTHORITY ACT.**

### **§30-5A-1. Short title.**

1 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 The scope of the practice of pharmacy includes all of §30-5-1 et seq. of this code, as well  
2 as the prescribing of drugs, drug categories, or devices, excluding controlled substances, that are  
3 prescribed in accordance with the product's federal Food and Drug Administration-approved  
4 labeling and that are limited to conditions for which a relevant patient medication history has been  
5 taken and:

6 (1) Do not require a new diagnosis; or

7 (2) Have a test that is used to guide diagnosis or clinical decision-making that is waived  
8 under the federal Clinical Laboratory Improvement Amendments of 1988 that indicates the  
9 existence of a condition that is minor and generally self-limiting; or

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

11 (4) The pharmacist may, within 72 hours, notify the patient's primary care physician, if  
12 identified, of the test result and any permissible drug, drug categories, or devices that are  
13 prescribed.

14           (5) Any prescription dispensed or prescribed pursuant to this article is limited to up to a  
15   30-day supply within a six-month period: *Provided*, That if more than 10 days is prescribed or  
16   dispensed, then the pharmacist shall notify the primary care physician, if identified.

**§30-5A-4. Exemption from review requirements.**

1           The addition of prescribing authority to the scope of the practice of pharmacy in West  
2   Virginia, as provided in §30-5A-3 of this code, is exempt from the requirements of §30-1A-1 *et*  
3   *seq.* of this code.