

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Enrolled

Committee Substitute

for

Senate Bill 526

BY SENATORS CHAPMAN, ROSE, AND WILLIS

[Passed April 12, 2025; in effect 90 days from
passage (July 11, 2025)]

1 AN ACT to amend and reenact §30-5-10 of the Code of West Virginia, 1931, as amended, relating
2 to updating a pharmacist's scope of practice; authorizing pharmacists to prescribe certain
3 drugs in accordance with Food and Drug Administration labeling; limiting the conditions
4 for which a pharmacist may test; requiring the pharmacist notify the patient's primary care
5 physician; and limiting a prescription to a 30-day supply within a six-month time frame.

Be it enacted by the Legislature of West Virginia:

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

§30-5-10. Scope practice for licensed pharmacist.

1 (a) A licensed pharmacist may:
2 (1) Provide care related to the interpretation, evaluation, and implementation of medical
3 orders;
4 (2) Dispense of prescription drug orders; participate in drug and device selection;
5 (3) Provide drug administration;
6 (4) Provide drug regimen review;
7 (5) Provide drug or drug-related research;
8 (6) Perform patient counseling;
9 (7) Provide pharmacy related primary care;
10 (8) Provide pharmacist care in all areas of patient care, including collaborative pharmacy
11 practice;
12 (9) Compound and label drugs and drug devices;
13 (10) Proper and safe storage of drugs and devices;
14 (11) Maintain proper records;
15 (12) Provide patient counseling concerning the therapeutic value and proper use of drugs
16 and devices;

(13) Order laboratory tests in accordance with drug therapy management;

(14) Provide medication therapy management; and

(15) Prescribe drugs, excluding controlled substances, that are in accordance with the product's federal Food and Drug Administration-approved labeling and that are limited to conditions for which a relevant patient medication history has been taken and:

(A) (i) Have a test that is used to guide diagnosis or clinical decision-making that is waived under the federal Clinical Laboratory Improvement Amendments of 1988 that indicates the existence of the following conditions only: influenza; SARS-COV-2; and RSV; or

(ii) refill an expired prescription for an epinephrine injection device.

(B) The pharmacist shall, within 72 hours, notify the patient's primary care physician of the test result and the permissible drug prescribed and dispensed.

(C) A prescription dispensed or prescribed pursuant to this article is limited to up to a 30-day supply within a six-month period, if more than 10 days is prescribed or dispensed, then the pharmacist shall notify the primary care physician. If no primary care physician is identified, the pharmacist shall attempt to make a patient referral to a primary care physician.

(b) A licensee meeting the requirements as promulgated by legislative rule may administer immunizations.

(c) The sale of any medicine, if the contents of its container, or any part thereof, taken at one time, are likely to prove poisonous, deleterious, or habit-forming is prohibited by any person other than a registered pharmacist, who shall take precautions to acquaint the purchaser of the nature of the medicine at the time of sale.

The Clerk of the Senate and the Clerk of the House of Delegates hereby certify that the foregoing bill is correctly enrolled.

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Clerk of the Senate

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Clerk of the House of Delegates

Originated in the Senate.

In effect 90 days from passage.

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President of the Senate

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Speaker of the House of Delegates

The within is this the.....
Day of, 2025.

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Governor