WEST virginia legislature

2025 regular session

Committee Substitute

for

Senate Bill 526

By Senators Chapman and Rose

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

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

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

§30-5A-2. Purpose.

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

§30-5A-3. Practice of pharmacy.

The scope of the practice of pharmacy includes all of §30-5-1 *et seq.* of this code, as well as the prescribing of drugs, drug categories, or devices, excluding controlled substances, that are prescribed in accordance with the product’s federal Food and Drug Administration-approved labeling and that are limited to conditions that:

(1) Do not require a new diagnosis;

(2) Are minor and generally self-limiting;

(3) Have a test that is used to guide diagnosis or clinical decisionmaking and is waived under the federal Clinical Laboratory Improvement Amendments of 1988; or

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

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

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