

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

Senate Bill 477

By Senators Rose, Helton, M. Maynard, and Rucker

[Introduced January 19, 2026; referred

to the Committee on Health and Human Resources;

and then to the Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §30-5-37, relating to pharmacists dispensing Ivermectin; authorizing provision
3 of Ivermectin with a collaborate pharmacy practice agreement; authorizing Ivermectin
4 without a prescription upon federal regulations; clarifying liability and disciplinary action
5 protections for pharmacists and health care providers; authorizing rules; establishing
6 effective dates; and establishing severability.

Be it enacted by the Legislature of West Virginia:

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

§30-5-37. Provision of Ivermectin with collaborative pharmacy practice agreement; over-the-counter sale of Ivermectin; protections for pharmacists; rulemaking; effective date; severability.

1 (a) Provision of Ivermectin with collaborate pharmacy practice agreement. -

2 A pharmacist, in good faith, may provide Ivermectin to a patient pursuant to a valid
3 collaborative pharmacy practice agreement, in accordance with §30-5-19, containing a non-
4 patient-specific prescriptive order and standardized procedures developed and executed by one
5 or more authorized prescribers.

6 (b) Authorization to dispense Ivermectin without a prescription. -

7 (1) Upon the Federal Food and Drug Administration approving Ivermectin for over-the-
8 counter use, notwithstanding any other provision of this code, a licensed pharmacist may
9 dispense Ivermectin for human use to a patient without requiring a prescription from a licensed
10 health care provider;

11 (2) The pharmacist shall provide the patient with the Federal Food and Drug Administration
12 approved patient information sheet on Ivermectin at the time of sale; and

13 (3) No consultation with a pharmacist or other health care provider is required for the sale

14 or purchase of Ivermectin.

15 (c) Pharmacist and health care provider protections. -

16 (1) A pharmacist who dispenses Ivermectin in accordance with this section shall not be
17 liable for damages in any civil action, criminal prosecution, or professional disciplinary proceeding
18 for dispensing Ivermectin under this section, provided that the pharmacist acts in good faith and in
19 accordance with applicable laws and professional standards; and

20 (2) A health care provider shall not be subject to disciplinary action by any licensing board
21 or other state regulatory agency for prescribing or recommending the use of Ivermectin for any
22 condition within their scope of practice.

23 (d) Rulemaking. -

24 The West Virginia Board of Pharmacy may establish rules to implement this section in
25 accordance with the provisions of §29A-3-1 et seq. of this code.

26 (e) Effective date. -

27 (1) The provisions of this section, except §30-5-37(b) of this code, shall be effective 90
28 days from passage.

29 (2) Subsection (b) of this section shall be effective immediately upon the Federal Food and
30 Drug Administration approving Ivermectin for over-the-counter use.

31 (f) Severability. -

32 If any provision of this section or its application to any person or circumstance is found to
33 be invalid, the remainder of this section and its application to other persons and circumstances
34 shall not be affected.

NOTE: The purpose of this bill is to enable pharmacists to dispense Ivermectin for human use pursuant to a collaborative pharmacy practice agreement and without a prescription, once the FDA approves of it for over-the-counter use.

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