WEST VIRGINIA CODE: §16-46-3a

§16-46-3a. Pharmacist or pharmacy intern may dispense, pursuant to a protocol, opioid antagonists without a prescription; patient counseling required; required educational materials.

(a) Pursuant to the protocol developed under subsection (f) of this section, a pharmacist or pharmacy intern under the supervision of a pharmacist may dispense an opioid antagonist without a prescription.

(b) A pharmacist or pharmacy intern who dispenses an opioid antagonist without a prescription under this section shall provide patient counseling to the individual for whom the opioid antagonist is dispensed regarding, but not limited to, the following topics: (1) The proper administration of the opioid antagonist; (2) the importance of contacting emergency services as soon as practicable either before or after administering the opioid antagonist; and (3) the risks associated with failure to contact emergency services following administration of an opioid antagonist. The patient counseling described in this section is mandatory and the person receiving the opioid antagonist may not opt out.

(c) A pharmacist shall document the dispensing of an opioid antagonist without a prescription as set forth in the protocol developed under subsection (f) of this section and the reporting requirements set forth in subsection (a), section four, article nine, chapter sixty-a of this code.

(d) All pharmacists or pharmacy interns who dispense an opioid antagonist under this section shall provide educational materials to any person receiving such an opioid antagonist on opiate-related overdose prevention and treatment programs, as well as materials on administering the opioid antagonist.

(e) This section does not affect the authority of a pharmacist or pharmacy intern to fill or refill a prescription for an opioid antagonist.

(f) To implement the provisions of this section, the Board of Pharmacy shall, after consulting with the Bureau for Public Health: (1) Develop a protocol under which pharmacists or pharmacy interns may dispense an opioid antagonist without a prescription; (2) specify educational materials which shall be provided to the individual receiving the opioid antagonist; and (3) develop a form, template or the like to be used by pharmacists and pharmacy interns when dispensing the opioid antagonists without a prescription. The protocol developed by the board may be updated or revised as necessary.

WV Legislature