WEST VIRGINIA CODE: §16-56-6

§16-56-6. Guidelines for dispensing a tobacco cessation therapy.

(a) A pharmacist who dispenses a tobacco cessation therapy under this article shall follow the Tobacco Cessation Therapy Protocol, that has been approved by the Commissioner of the Bureau for Public Health in collaboration with the Board of Pharmacy and the Board of Medicine, before dispensing the tobacco cessation therapy. The protocol shall include the:

(1) Criteria for identifying individuals eligible to receive the tobacco cessation therapy or other professional services under the protocol, and referral to an appropriate prescriber if the patient is high-risk or therapy is contraindicated;

(2) Medications authorized by the protocol;

(3) Procedures for initiation and monitoring of therapies, including a care plan based on clinical guidelines;

(4) Education requirements to be provided to the person receiving the medications and follow-up care;

(5) Documentation procedures in the pharmacy system; and

(6) Notification of the individual’s primary care provider, if provided, within two business days.

(b) If when following the protocol it is indicated that it is unsafe to dispense a tobacco cessation therapy to a patient, the pharmacist:

(A) May not dispense a tobacco cessation therapy to the patient; and

(B) Shall refer the patient to their primary care provider.

(c) The Board of Pharmacy regulates a pharmacist who dispenses a tobacco cessation noncontrolled prescription medication, over-the-counter medication, or other professional service.

WV Legislature