WEST VIRGINIA CODE: §60B-1-2

§60B-1-2. Authority and waivers.

- (a) A donor or eligible recipient may request a waiver or variance from the board with regard to any rule related to this program upon a showing that such action would be in the interest of public health and safety.
- (b) The board and its rules have sole regulatory authority over the program. Notwithstanding any rule to the contrary:
- (1) A person or entity may dispose of an eligible drug by donating it to an eligible recipient in accordance with the rules of this program.
- (2) An eligible recipient including, but not limited to, a pharmacy may receive drugs from a donor in accordance with the rules of this program.
- (3) An eligible recipient may accept donated drugs that are in tamper-evident packaging, including, but not limited to, drugs that have a tamper-evident seal on either their immediate, outer, secondary, or shipping container.
- (4) An eligible recipient, including, but not limited to, a pharmacy, may receive, accept, replenish, repackage, and store donated drug samples in accordance with the rules of this program.