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.

WV Legislature