WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1957

ENROLLED

HOUSE BILL No. 117

(By Mr. Booth)

PASSED Feb. 13, 1957

In Effect from Passage
AN ACT to amend and reenact section six, article eight-a, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to prescriptions for narcotic drugs and compounds.

Be it enacted by the Legislature of West Virginia:

That section six, article eight-a, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, be amended and reenacted to read as follows:

Section 6. Sales by Pharmacists upon Prescriptions or by Legal Owner Discontinuing Business; Solutions Containing Narcotic Drugs.—(1) A pharmacist, in good faith, may sell and dispense narcotic drugs to any person upon a written prescription of a physician, dentist, or veterinarian: Provided, That such prescription is properly executed, dated and signed by the person prescribing on
the day when issued, and bearing the full name and
address of the patient for whom, or of the owner of the
animal for which the drug is dispensed, and the full name,
address, and registry number under the federal narcotic
laws, of the person prescribing, if he is required by those
laws to be so registered. If the prescription be for an
animal, it shall state the species of animal for which the
drug is prescribed. The person filling the prescription
shall write the date of filling and his own signature on
the face of the prescription. The prescription shall be
retained on file by the proprietor of the pharmacy in which
it is filled for a period of five years, so as to be readily
accessible for inspection by any public officer or employee
engaged in the enforcement of this article. The prescrip-
tion shall not be refilled.

In lieu of a written prescription for such narcotic drugs
or compounds of a narcotic drug which the secretary of
the treasury of the United States shall find and by regu-
lation designate to possess relatively little or no addiction
liability, a pharmacist may sell or dispense such drugs to
a consumer upon the oral prescription of a physician,
dentist or veterinarian, which oral prescription shall be reduced promptly to writing and the writing filed and preserved by the pharmacist for a period of five years from the date on which such prescription is filled in such a way as to be readily accessible to inspection by any public officer or employee engaged in the enforcement of this act. In issuing an oral prescription, the prescriber shall furnish the pharmacist with the same information as is required by law or regulation in case of a written prescription for narcotic drugs or compounds of a narcotic drug except for the written signature of the prescriber, and the pharmacist who fills such prescription shall be required to inscribe such information on the written record of the prescription made, filed and preserved by him, and shall inscribe on the label of the container of the narcotic drug or compound of a narcotic drug the same information as is required in filling a written prescription. An oral prescription shall not be refilled.

If the secretary of the treasury of the United States shall subsequently determine that a narcotic drug or a compound of a narcotic drug, to which the oral prescrip-
tion procedure has been made applicable, possesses a degree of drug addiction liability that results in abusive use of such procedure, the oral prescription procedure shall cease to apply to the particular narcotic drug or to the particular compound of a narcotic drug after the expiration of a period of six months from the date of publication in the federal register.

(2) The legal owner of any stock of narcotic drugs in pharmacy, upon discontinuance of dealing in said drugs, may sell said stock to a manufacturer, wholesaler, pharmacist or pharmacy owner, but only on an official written order.

(3) A pharmacist, only upon an official written order, may sell to a physician, dentist or veterinarian, in quantities not exceeding one ounce at any one time, aqueous or oleaginous solutions of which the content of narcotic drug does not exceed a proportion greater than twenty per cent of the complete solution, to be used for legitimate office practice. The original order form must be filed by the pharmacist with his narcotic prescriptions. Each package containing an aqueous or oleaginous solution so furnished
must bear a label showing the date and number of the order form, the name and proportion of narcotic drug contained in the solution, the name, address, and registry number of the person furnishing the order, and the name, address, and registry number of the pharmacist or pharmacy owner filling the order.
The Joint Committee on Enrolled Bills hereby certifies that
the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the House of Delegates

Takes effect from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker, House of Delegates

The within approved this the 23rd
day of February, 1957.

[Signature]
Governor

Filed in the Office of the Secretary of State
of West Virginia FEB 25, 1957

D. Pitt O'Brien
SECRETARY OF STATE