### WEST VIRGINIA LEGISLATURE

**REGULAR SESSION, 1965** 

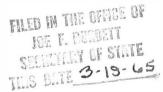
# ENROLLED

HOUSE BILL No. 601

(By Mr. John)

PASSED March 11, 1965

In Effect Tunely clayer from Passage





### **ENROLLED**

### COMMITTEE SUBSTITUTE

FOR

## House Bill No. 601

(Originating in the Committee on the Judiciary.)

[Passed March 11, 1965; in effect ninety days from passage.]

AN ACT to amend and reenact sections two and seven, article five, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the appointment, qualifications, authority, powers and duties of the West Virginia board of pharmacy, and its powers with respect to refusal to issue, suspend or revoke a license or certificate of registration.

Be it enacted by the Legislature of West Virginia:

That sections two and seven, article five, chapter thirty of the code of West Virginia, one thousand nine hundred

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thirty-one, as amended, be amended and reenacted to read as follows:

### Article 5. Pharmacists and Drug Stores.

### Section 2. Board of Pharmacy; Appointment; Qualifi-

- 2 cations; Powers.—There shall be a state board of phar-
- 3 macy, known as the "West Virginia Board of Pharmacy,"
- 4 which shall consist of five practicing pharmacists, who
- 5 shall be appointed by the governor by and with the ad-
- 6 vice and consent of the senate. Each member of the board,
- 7 at the time of his appointment, shall be a citizen and
- 8 registered pharmacist of this state, and actively engaged
- 9 in the practice of pharmacy.
- 10 The members of the board in office on the date this
- 11 code takes effect shall, unless sooner removed, continue
- 12 to serve until their respective terms expire and until
- 13 their successors have been appointed and have qualified.
- 14 On or before the first day of July, one thousand nine
- 15 hundred thirty-one, and on or before the first day of July
- 16 of each year thereafter, the governor shall appoint one
- 17 member to serve for a term of five years, commencing
- 18 on said first day of July, and any member shall be eligible
- 19 for reappointment.

- 20 The board, in addition to the authority, powers and
- 21 duties granted to the board by this chapter and chapter
- 22 sixteen of the code, shall have the authority to: (a)
- 23 Regulate the practice of the profession of pharmacy; (b)
- 24 regulate the employment of apprentices and interns in
- 25 pharmacy; (c) appoint, within the limit of appropriations,
- 26 inspectors who shall be registered pharmacists and who
- 27 shall act as agents of the board within the provisions of
- 28 this chapter and chapter sixteen of the code and such
- 29 rules and regulations as the board shall promulgate; and
- 30 (d) adopt rules of professional conduct appropriate to
- 31 the establishment and maintenance of high standards of
- 32 integrity and dignity in a profession.
  - Sec. 7. Refusal to Issue; Suspension or Revocation of
- 2 Certificate of Registration. The board of pharmacy
- 3 shall have the power to withhold, revoke or suspend any
- 4 license or any certificate issued under this article after
- 5 giving reasonable notice and an opportunity to be heard
- 6 to any person who has:
- 7 (1) Become unfit or incompetent to practice pharmacy
- 8 by reason of: (a) Acts of gross immorality; (b) habitual

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- 9 intoxication; (c) habitual use of narcotics or habit form-
- 10 ing drugs; (d) insanity; (e) any abnormal physical or
- 11 mental condition which threatens the safety of persons
- 12 to whom such person might sell or dispense prescriptions,
- 13 drugs, or devices, or for whom he might manufacture,
- 14 prepare or package, or supervise the manufacturing,
- 15 preparation, or packaging of prescriptions, drugs, or de-
- 16 vices.
- 17 (2) Been convicted in any of the courts of this state,
- 18 the United States of America, or any other state, of a
- 19 felony or any crime involving moral turpitude.
- 20 (3) Violated any of the provisions of this chapter or
- 21 chapter sixteen of the code.
- 22 (4) Failed to comply with the rules of professional
- 23 conduct adopted pursuant to subparagraph (d) of sec-
- 24 tion two of this article.
- 25 (5) Promoted to the public in any manner any one
- 26 drug which may only be dispensed pursuant to a pre-
- 27 scription over any other of such drugs.
- 28 (6) Solicited professional practice directly or indi-
- 29 rectly by promoting professional ability, experience, in-
- 30 tegrity, or professional qualifications.

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The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.
Chairman Senate Committee
Chairman House Committee
Originated in the House.
Takes effect ninety days from passage.
Clerk of the Senate
Clerk of the Senate
Ca Blankenship
Clerk of the House of Delegates
Haward & Carson
President of the Senate
N. Deban White
Speaker House of Delegates
The within approach this the 19
day of March, 1965.
Stulent fruit
Governor

Presented to the Governor's Office March 19, 1965 4:10 P.M.