

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1969



ENROLLED

HOUSE BILL No. 840

(By Mr. Flenagan and Mr. Quinn)



PASSED March 7, 1969

In Effect July 1, 1969 Passage



840

FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE
THIS DATE 3-12-69

ENROLLED

House Bill No. 840

(By MR. FLANAGAN and MR. OURS)

[Passed March 7, 1969; in effect July 1, 1969.]

AN ACT to amend and reenact sections five, nine and fourteen, article five, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to fees to be charged by the West Virginia board of Pharmacy for examination, the registration of pharmacies or drug stores, permits and fees to operate pharmacies or drug stores, use of funds resulting from increased fees, the operation of pharmacies or drug stores, and providing for certain exceptions.

Be it enacted by the Legislature of West Virginia:

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

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

ARTICLE 5. PHARMACISTS, ASSISTANT PHARMACISTS AND DRUGSTORES.

§30-5-5. Qualifications for registration as pharmacist; certificates of registration.

1 In order to be registered as a pharmacist within the
2 meaning of this article, a person shall be a citizen of the
3 United States, not less than twenty-one years of age,
4 shall present to the board of pharmacy satisfactory evi-
5 dence that he is a graduate of a recognized school of
6 pharmacy as defined by the board of pharmacy, and in
7 addition thereto he shall have had at least one year of
8 practical experience in a pharmacy or drugstore under
9 the instruction and supervision of a registered pharmacist
10 and shall pass satisfactorily an examination by or under
11 the direction of the board of pharmacy. Each application
12 for examination must be accompanied by a fee of fifty
13 dollars and the same forwarded to the secretary accord-
14 ing to law.

15 Every applicant for registration as a pharmacist shall
16 present to the board of pharmacy satisfactory evidence

17 that he is a person of good moral character and not ad-
18 dicted to drunkenness or the use of narcotic drugs. The
19 board shall issue certificates of registration to all persons
20 who successfully pass the required examination ^{who} and are
21 otherwise qualified, and to all those whose certificates
22 or licenses the board shall accept in lieu of an examination
23 as provided in the next succeeding section.

§30-5-9. Fees.

1 The board of pharmacy shall be entitled to charge and
2 collect the following fees, in addition to those provided
3 in article one of this chapter and in section fourteen and
4 section sixteen of this article: For renewing the registra-
5 tion of a pharmacist, fifteen dollars; for renewing the reg-
6 istration of an assistant pharmacist, fifteen dollars; for
7 issuing a permit to an assistant pharmacist to conduct a
8 pharmacy or drugstore in a village of not more than five
9 hundred inhabitants, twenty-five dollars.

**§30-5-14. Pharmacies or drugstores to be registered; permit to
operate; fees; registered pharmacist to conduct
business.**

1 The board of pharmacy shall require and provide for
2 the annual registration of every pharmacy or drugstore,

3 as defined, doing business in this state. Any person, firm,
4 corporation or copartnership desiring to operate, main-
5 tain, open or establish a pharmacy or drugstore, as de-
6 fined, in this state, shall apply to the board of pharmacy
7 for a permit to do so. The application for such permit
8 or license shall be made on a form prescribed and fur-
9 nished by the board of pharmacy, which when properly
10 executed, shall indicate the owner, manager, trustee,
11 lessee, receiver, or other person or persons desiring such
12 permit, as well as the location of such pharmacy or drug-
13 store, including street and number, and such other infor-
14 mation as the board of pharmacy may require. If it is
15 desired to operate, maintain, open or establish more than
16 one pharmacy or drugstore, separate applications shall
17 be made and separate permits or licenses shall be issued
18 for each. Every initial application for a permit shall be
19 accompanied by the required fee of fifty dollars. The fee
20 for renewal of such permit or license shall be twenty-five
21 dollars annually. If an application is found satisfactory,
22 the secretary of the board of pharmacy shall issue to the
23 applicant a permit or license for each pharmacy or drug-

24 store for which application is made. Permits or licenses
25 issued under this section shall not be transferable and
26 shall expire on the thirtieth day of June of each calendar
27 year, and if application for renewal of permit or license
28 is not made or a new one granted on or before the first
29 day of August, following, the old permit or license shall
30 lapse and become null and void. Every such place of
31 business so registered shall be in direct charge of a
32 registered pharmacist and operate in compliance with
33 the general provisions governing the practice of pharmacy
34 and the operation of a drugstore or pharmacy.

35 The provisions of this section shall have no application
36 to the sale of patent or proprietary medicines which are
37 not poisonous, deleterious or habit-forming nor to such
38 ordinary drugs in original retail packages when such are
39 not poisonous, deleterious or habit-forming nor to flavor-
40 ing extracts or dyestuffs as are unusally sold in a country
41 store.

§30-5-14a. Use of funds resulting from increased fees.

1 The increased funds resulting from the increased fees
2 under sections five, nine and fourteen of this article shall

3 be used only (a) for the employment of an investigator
4 or investigators pursuant to section two of this article,
5 (b) for the reimbursement of necessary expenses of
6 such investigator or investigators upon the submittal of
7 proper vouchers therefor, (c) for the payment of addi-
8 tional expenses necessitated by the conduct of the office
9 of such investigator or investigators, and (d) upon pay-
10 ment of the total expenses, including salaries of such
11 investigator or investigators, any remaining funds shall
12 be used for the conduct of the office of the West Virginia
13 board of pharmacy.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tompa

Chairman Senate Committee

Phyllis J. Rutledge

Vice Chairman House Committee

Originated in the House.

Takes effect July 1, 1969.

Howard Keyser

Clerk of the Senate

C. A. Blankenship

Clerk of the House of Delegates

Lester Jean

President of the Senate

Ivor F. Boarsky

Speaker House of Delegates

The within *approved* this the *14th*
day of *March*, 1968-1969.

Arch Shaver Jr.

Governor

PRESENTED TO THE
GOVERNOR

Date 3/11/69

Time 2:00 p.m.

RECEIVED

MAR 17 9 11 PM '69

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA