WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1976

ENROLLED
SENATE BILL NO. 33

(By Mr. Galvin)

PASSED March 16, 1976
In Effect ninety days from Passage

FILLED IN THE OFFICE OF SECRETARY OF STATE OF WEST VIRGINIA
THIS DATE 3/31/76
AN ACT to amend article five, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section twelve-a, relating to requiring the West Virginia board of pharmacy to prepare list of one hundred most commonly used drugs by brand name and approved generic equivalent; and requiring pharmacists and drugstores to post such list of drugs, their prices and professional services offered by the particular pharmacy.

Be it enacted by the Legislature of West Virginia:

That article five, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section twelve-a, to read as follows:

ARTICLE 5. PHARMACISTS, ASSISTANT PHARMACISTS AND DRUGSTORES.

§30-5-12a. List of drugs and prices; posting required; penalties for failure to comply.

1 The West Virginia board of pharmacy shall annually in the month of August prepare a list of not less than one hundred most commonly prescribed prescription drugs by brand name and approved generic equivalent, if available, along with their most commonly used strengths and quantity prescribed. Such list shall also display in prominent print all professional or convenience services performed by the particular pharmacy and the same shall be distributed along with rules and regulations for posting to each pharmacy. The determination by the
board of pharmacy as to which drugs are to be included on the list shall be final. The West Virginia board of pharmacy shall furnish forms to list the one hundred drugs and the professional or convenience services and these forms are to be used to display the required information.

The current list of the one hundred or more most commonly prescribed drugs by brand name and approved generic equivalent, if available, shall be conspicuously posted in each pharmacy registered with the board. After each prescription drug listed, the name of the manufacturer and the current selling price shall be clearly indicated for that prescription by the pharmacy. The price of any drug offered for sale shall be available and shall be quoted by the pharmacy upon request.

The "current selling" price means the price above which the listed drug may not be sold to the purchaser by the pharmacist. A pharmacy may change the current selling price and posting of such price at any time.

Pursuant to section nineteen of this article, the board of pharmacy shall establish and require compliance with all rules and regulations necessary to implement this section.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 20th day of

Governor
PRESENTED TO THE GOVERNOR

Date 3/24/76
Time 3:45 p.m.