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OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1976



ENROLLED

SENATE BILL NO. 33

(By Mr. Colpitt.....)



PASSED March 16, 1976

In Effect ninety days from Passage



FILED IN THE OFFICE OF
SECRETARY OF STATE OF
WEST VIRGINIA

THIS DATE 3/31/76

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ENROLLED
Senate Bill No. 33
(By MR. GALPERIN)

[Passed March 16, 1976; in effect ninety days from passage.]

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
2 in the month of August prepare a list of not less than one
3 hundred most commonly prescribed prescription drugs by
4 brand name and approved generic equivalent, if available,
5 along with their most commonly used strengths and
6 quantity prescribed. Such list shall also display in promi-
7 nent print all professional or convenience services per-
8 formed by the particular pharmacy and the same shall
9 be distributed along with rules and regulations for
10 posting to each pharmacy. The determination by the

11 board of pharmacy as to which drugs are to be in-
12 cluded on the list shall be final. The West Virginia board
13 of pharmacy shall furnish forms to list the one hundred
14 drugs and the professional or convenience services and
15 these forms are to be used to display the required infor-
16 mation.

17 The current list of the one hundred or more most com-
18 monly prescribed drugs by brand name and approved
19 generic equivalent, if available, shall be conspicuously
20 posted in each pharmacy registered with the board. After
21 each prescription drug listed, the name of the manufac-
22 turer and the current selling price shall be clearly indi-
23 cated for that prescription by the pharmacy. The price of
24 any drug offered for sale shall be available and shall be
25 quoted by the pharmacy upon request.

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

31 Pursuant to section nineteen of this article, the board
32 of pharmacy shall establish and require compliance with
33 all rules and regulations necessary to implement this
34 section.

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

James L. Davis
Chairman Senate Committee

Clarence C. Christy, Jr.
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

J. McEllon, Jr.
Clerk of the Senate

C. Blankenship
Clerk of the House of Delegates

W. B. [Signature]
President of the Senate

Lewis G. McHenry
Speaker House of Delegates

The within *approved* this the *29th*
day of *March*, 1976

Arch A. Branch, Jr.
Governor



PRESENTED TO THE
GOVERNOR

Date 3/24/76

Time 3:45 p.m.