WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 1991

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ENROLLED

Com. Sub. for
HOUSE BILL No. 2494

(By Mr. Del. Gallagher & Borders)

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Passed ___________________________ March 9, 1991

In Effect 90 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 six-a, relating to requiring mail-order houses which dispense drugs into or out of the state to register with the board of pharmacy prior to doing business; exempting mail-order houses which operate solely as wholesale distributors; and promulgation of rules and regulations by board of 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 six-a, to read as follows:

CHAPTER 30.
PROFESSIONS AND OCCUPATIONS.
ARTICLE 5. PHARMACISTS, ASSISTANT PHARMACISTS AND DRUGSTORES.

§30-5-6a. Permits for mail-order houses.

1 (a) Every mail-order house which dispenses drugs or medicines through the United States mail or otherwise
from any point in the state of West Virginia to any point outside of the state of West Virginia shall be registered as a pharmacy or drugstore pursuant to the provisions of section fourteen of this article: Provided, That the provisions of this subsection do not apply to any mail-order house which operates solely as a wholesale distributor.

(b) Every mail-order house which dispenses drugs or medicines through the United States mail or otherwise from any point outside of the state of West Virginia to any point within the state of West Virginia shall, as a condition precedent to being qualified and authorized to transact such business in the state of West Virginia, annually register with the board of pharmacy to conduct such business in this state. Every such business shall be required to provide to the board of pharmacy satisfactory evidence that it qualifies as a pharmacy or drugstore and that such business is licensed or registered as a pharmacy or drugstore in the state where the business dispenses prescriptions by mail order to residents of this state. The board of pharmacy shall promulgate rules, in accordance with the provisions of article three, chapter twenty-nine-a of this code, for the procedures of registration pursuant to this subsection: Provided, That the provisions of this subsection do not apply to any mail-order house which operates solely as a wholesale distributor.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect from ninety days passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within ... approved this the __________


Governor
PRESENTED TO THE
GOVERNOR
Date: 3/20/14
Time: 1:55 pm