

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 318**

4 (By Senator Stollings)

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6 [Originating in the Committee on Health and Human Resources;
7 reported January 22, 2014.]

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11 A BILL to amend and reenact §60A-3-301 of the Code of West
12 Virginia, 1931, as amended; and to amend said code by adding
13 thereto a new section, designated §60A-3-301a, all relating to
14 setting registration fees for the manufacture, distribution,
15 dispensing and conducting research of controlled substances;
16 and providing certain boards with rule-making authority.

17 *Be it enacted by the Legislature of West Virginia:*

18 That §60A-3-301 of the Code of West Virginia, 1931, as
19 amended, be amended and reenacted; and that said code be amended by
20 adding thereto a new section, designated §60A-3-301a, all to read
21 as follows:

22 **ARTICLE 3. REGULATION OF MANUFACTURE, DISTRIBUTION AND DISPENSING**
23 **OF CONTROLLED SUBSTANCES.**

24 **§60A-3-301. Rules; fees.**

1 (a) The State Board of Pharmacy shall promulgate rules and
2 charge fees relating to the registration and control of the
3 manufacture and distribution of controlled substances within this
4 state. ~~and~~ Each department, board or agency of this state which
5 licenses or registers practitioners authorized to dispense ~~any a~~
6 controlled substance shall promulgate rules and charge fees
7 relating to the registration and control of the dispensing of
8 controlled substances within this state by those practitioners
9 licensed or registered by ~~such~~ that department, board or agency.

10 ~~The State Board of Pharmacy or the department, board or agency~~
11 ~~shall collect the following annual registration fees from persons~~
12 ~~who manufacture, distribute, dispense or conduct research with~~
13 ~~controlled substances: For registration of a manufacturer, \$50;~~
14 ~~for registration of a wholesaler, \$50; for registration of a~~
15 ~~retailer \$15. for registration of a hospital or clinic, \$15; and~~
16 ~~for registration of a research institution, \$5.~~

17 (b) The fee schedule in effect as of July 1, 2013, shall
18 remain in effect until amended, modified, repealed or replaced by
19 any legislative rule promulgated pursuant to this section.

20 **§60A-3-301a. Fee schedule.**

21 Until amended, modified, repealed or replaced by legislative
22 rule, the State Board of Pharmacy or any department, board or
23 agency shall collect the following annual registration fees from
24 persons who manufacture, distribute, dispense or conduct research

- 1 with respect to controlled substances:
- 2 (1) \$50 for registration of a manufacturer;
 - 3 (2) \$50 for registration of a wholesaler;
 - 4 (3) \$50 for registration of a hospital or clinic;
 - 5 (4) \$25 for registration of a medical examiner;
 - 6 (5) \$25 for registration of a teaching or research
7 institution;
 - 8 (6) \$25 for registration of a nursing home or an extended care
9 facility; and
 - 10 (7) \$15 for registration of a dispenser.