

COMMITTEE SUBSTITUTE

FOR

**Senate Bill No. 318**

(By Senator Stollings)

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

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

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

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

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

**§60A-3-301. Rules; fees.**

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

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

16 ~~for registration of a retailer \$15; for registration of a hospital~~  
17 ~~or clinic, \$15; and for registration of a research institution;~~  
18 ~~\$5.~~

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20 remain in effect until amended, modified, repealed or  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

**§60A-3-301a. Fee schedule.**

1 Until amended, modified, repealed or replaced by  
2 legislative rule, the State Board of Pharmacy or any  
3 department, board or agency shall collect the following  
4 annual registration fees from persons who manufacture,  
5 distribute, dispense or conduct research with respect to  
6 controlled substances:

- 7 (1) \$50 for registration of a manufacturer;
- 8 (2) \$50 for registration of a wholesaler;
- 9 (3) \$50 for registration of a hospital or clinic;
- 10 (4) \$25 for registration of a medical examiner;

11 (5) \$25 for registration of a teaching or research  
12 institution;

13 (6) \$25 for registration of a nursing home or an extended  
14 care facility; and

15 (7) \$15 for registration of a dispenser.