WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Introduced

House Bill 4181

FISCAL
NOTE

BY DELEGATES IAQUINTA, HOWELL, HAMRICK, DEAN,

FERRO, HARTMAN, PYLES, WAGNER, QUEEN, DISERIO

AND ELDRIDGE

[Introduced January 18, 2018; Referred

to the Committee on Health and Human Resources then

the Judiciary.]

1   A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,

2   designated §5-16C-9a, relating to permitting unused, unexpired, nonnarcotic drugs to be

3   distributed to free health care clinics in the state from deceased nursing home patients or

4   residents with the consent of the family of the decedent.

Be it enacted by the Legislature of West Virginia:

ARTICLE 16C. PRESCRIPTION DRUG COST MANAGEMENT ACT.

§5-16C-9a. Unused, unexpired, nonnarcotic drugs donated to free health care clinics from nursing homes; permission of decedents' family required.

1   The director shall institute a program whereby unused, unexpired, nonnarcotic drugs,

2   previously owned by nursing home patients or residents who subsequently have died, may be

3   donated to free health care clinics throughout the state: *Provided,* That the family of the deceased

4   nursing home patient or resident gives consent for the donation of these drugs. The director shall

5   dispense these donated drugs in an equitable manner as is practicable throughout the free health

6   care clinics in the state, unless the director has established that there is a specific need at a

7   particular clinic, or a clinic makes a specific request for a particular drug.

NOTE: The purpose of this bill is to provide a mechanism whereby unused, unexpired nonnarcotic drugs previously owned by a deceased nursing home patient or resident may be donated to free health care clinics in the state, provided that the family of the deceased patient or resident has given consent for the donation.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.