

# **WEST VIRGINIA LEGISLATURE**

## **2024 REGULAR SESSION**

**Introduced**

### **House Bill 4295**

By Delegate Kirby

[Introduced January 10, 2024; Referred  
to the Committee on Health and Human Resources ]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §30-5-37, relating to requiring pharmacists to dispense medication from an  
 3 authorized prescriber except when pharmacist has good faith belief prescription is  
 4 fraudulent or prohibited by law.

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

**ARTICLE 5. PHARMACISTS, PHARMACY TECHNICIANS, PHARMACY INTERNS  
 AND PHARMACIES.**

**§30-5-37. Pharmacist obligation to dispense medication; exceptions.**

1 Notwithstanding any other code to the contrary, a pharmacist operating under this article  
 2 shall fill a prescription for individuals who possess a prescription from an individual authorized to  
 3 prescribe that medication, unless the pharmacist has a good faith belief that the prescription is  
 4 fraudulent or otherwise prohibited by law.

NOTE: The purpose of this bill is to require pharmacists to dispense medication from an authorized prescriber except when pharmacist has good faith belief prescription is fraudulent or prohibited by law.

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