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HOUSE BILL NO. 964

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Health, Welfare and Institutions
on February 2, 2010)

(Patron Prior to Substitute—Delegate Lohr)

A BILL to amend and reenact § 54.1-3420.1 of the Code of Virginia, relating to Schedule II drugs; proof of identification.

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3420.1 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-3420.1. Identification required for filling prescriptions.

A. Before dispensing any drug listed on Schedules *H III* through V, a pharmacist may require proof of identity from any patient presenting a prescription or requesting a refill of a prescription.

B. A pharmacist shall require proof of identity from any person seeking to fill a prescription for any drug listed on Schedule II before dispensing such drug, unless such person is known to the pharmacist. If the person seeking to fill a prescription for a drug listed on Schedule II is not the patient for whom the drug is prescribed, the pharmacist shall record the full name and address of such person, regardless of whether the person seeking to fill the prescription is known to the pharmacist. When proof of identification is required from a person seeking to fill a prescription pursuant to this subsection, the pharmacist shall make a photocopy or electronic copy of his proof of identification, or an electronic record documenting that proof of identification was provided. The pharmacist shall keep records of the names and addresses and copies of proof of identification of persons filling prescriptions as required by this subsection for a period of at least one year. For the purposes of this subsection, "proof of identification" means a driver's license, government-issued identification card, or other photo identification along with documentation of the person's current address. This section shall not apply to prescriptions filled by a pharmacy and delivered by mail, common carrier, or delivery service.

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