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HOUSE BILL NO. 1966

Offered January 12, 2011

Prefiled January 11, 2011

A *BILL to amend the Code of Virginia by adding a section numbered 54.1-3316.1, relating to voluntary reporting by pharmacists.*

Patron—Rust

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 54.1-3316.1 as follows:

§ 54.1-3316.1. Voluntary reporting.

A. Any person may report to the Board the following information of which he may become aware in his professional capacity:

1. That a pharmacist, pharmacy intern, or pharmacy technician is in need of treatment or has been committed or admitted as a patient to a health care facility for treatment of substance abuse or a psychiatric illness that may render such person a danger to himself or others.

2. Any evidence that indicates a reasonable probability that a pharmacist, pharmacy intern, or pharmacy technician (i) is or may be professionally incompetent; (ii) has or may have engaged in intentional or negligent conduct that causes or is likely to cause injury to a patient or patients; (iii) is or may be mentally or physically unable to engage safely in the practice of his profession; (iv) has or may have engaged in unethical, fraudulent, or unprofessional conduct as set out in § 54.1-3316 and Board regulations; or (v) has or may have engaged in substance abuse or diversion of prescription drugs. Such evidence shall include, but not be limited to, denial or termination of employment, restrictions imposed on employment, or voluntary resignation to avoid investigation or termination.

B. Any person making a report pursuant to this section, providing information pursuant to an investigation, or testifying in a judicial or administrative proceeding as a result of such report shall be immune from any civil liability unless he acted in bad faith or with malicious intent.

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