

986844719

SENATE BILL NO. 502

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Education and Health
on February 12, 1998)

(Patron Prior to Substitute—Senator Newman)

A *BILL to amend and reenact § 54.1-3434.1 of the Code of Virginia, relating to registration of nonresident pharmacies.*

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-3434.1 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-3434.1. Nonresident pharmacies to register with Board.

A. Any pharmacy located outside this Commonwealth which ships, mails, or delivers, in any manner, Schedule II through VI drugs or devices pursuant to a prescription into this Commonwealth shall be considered a nonresident pharmacy, shall be registered with the Board, and shall disclose to the Board all of the following:

1. ~~The~~ the location, names, and titles of all principal corporate officers and all pharmacists who are dispensing prescription drugs or devices to residents of this Commonwealth. A report containing this information shall be made on an annual basis and within thirty days after any change of office, corporate officer, or principal pharmacist.

2. ~~That it complies~~ B. A nonresident pharmacy shall comply with all lawful directions and requests for information from the regulatory or licensing agency of the Commonwealth in which it is licensed as well as with all requests for information made by the Board pursuant to this section. The nonresident pharmacy shall maintain, at all times, a valid unexpired license, permit, or registration to conduct the pharmacy in compliance with the laws of the state in which it is a resident. As a prerequisite to registering with the Board, the nonresident pharmacy shall submit a copy of the most recent inspection report resulting from an inspection conducted by the regulatory or licensing agency of the state in which it is located.

3. ~~When providing pharmacy services to a citizen of the Commonwealth, a nonresident pharmacy shall comply with the laws and regulations of the Commonwealth and the Virginia Board of Pharmacy which govern the practice of pharmacy, except those laws or regulations relating to licensure as a pharmacist in Virginia, the physical requirements for pharmacies, the specified ratio of pharmacists to ancillary personnel, and those instances in which compliance constitutes a violation of the laws or regulations of the resident state.~~

~~That it maintains~~ D. A nonresident pharmacy shall maintain its records of prescription drugs or dangerous drugs or devices dispensed to patients in this Commonwealth so that the records are readily retrievable from the records of other drugs dispensed and provides a copy or report of such dispensing records to the Board, its authorized agents, or any agent designated by the Superintendent of the Department of State Police upon request within seven days of receipt of a request.

E. Any pharmacy subject to this section shall, during its regular hours of operation, but not less than six days per week, and for a minimum of forty hours per week, provide a toll-free telephone service to facilitate communication between patients in this Commonwealth and a pharmacist at the pharmacy who has access to the patient's records. This toll-free number shall be disclosed on a label affixed to each container of drugs dispensed to patients in this Commonwealth.

F. The registration fee shall be the fee specified for pharmacies within Virginia.