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SENATE BILL NO. 1150

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Health, Welfare, and Institutions
on February 10, 2011)

(Patron Prior to Substitute—Senator Quayle)

A *BILL to amend and reenact § 54.1-3420.1 of the Code of Virginia, relating to identification required for filling prescriptions.*

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 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, *or his agent*, shall require proof of identity *at the time of delivery* from any person seeking to take delivery of any drug listed on Schedule II pursuant to a valid prescription *before dispensing such drug*, unless such person is known to the pharmacist *or to his agent*. If the person seeking to take delivery of a drug listed on Schedule II pursuant to a valid prescription is not the patient for whom the drug is prescribed, *and the person is not known to the pharmacist or his agent*, the pharmacist *or his agent* shall ~~record the full name and address of such person, regardless of whether the person seeking to take delivery of the drug is known to the pharmacist. When proof of identity is required from a person seeking to take delivery of a drug pursuant to this subsection, the pharmacist shall make a photocopy or electronic copy of his proof of identity, or an electronic record documenting that proof of identity was provided either make a photocopy or electronic copy of such person's identification or record the full name and address of such person.~~ The pharmacist shall keep records of the names and addresses ~~and~~ or copies of proof of identity of persons taking delivery of drugs as required by this subsection for a period of at least one ~~year~~ *month*. For the purposes of this subsection, "proof of identity" means a driver's license, government-issued identification card, or other photo identification along with documentation of the person's current address.

C. Whenever any pharmacist permitted to operate in the Commonwealth or nonresident pharmacist registered to conduct business in the Commonwealth delivers a prescription drug order for any drug listed on Schedule II by mail, common carrier, or delivery service to a Virginia address, the method of delivery employed shall require the signature of the recipient as confirmation of receipt.