

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 54.1-3408.1 of the Code of Virginia and to amend the Code of Virginia*
3 *by adding a section numbered 54.1-2971.01, relating to prescriptions in excess of recommended*
4 *dosage; pain management.*

5 [S 1085]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**

8 **1. That § 54.1-3408.1 of the Code of Virginia is amended and reenacted and that the Code of**
9 **Virginia is amended by adding a section numbered 54.1-2971.01 as follows:**

10 *§ 54.1-2971.01. Prescription in excess of recommended dosage in certain cases.*

11 *A. Consistent with § 54.1-3408.1 of this code, a physician may prescribe a dosage of a pain-relieving*
12 *agent in excess of the recommended dosage upon certifying the medical necessity for the excess dosage*
13 *in the patient's medical record. Any practitioner who prescribes, dispenses or administers an excess*
14 *dosage in accordance with this section and § 54.1-3408.1 shall not be in violation of the provisions of*
15 *this title because of such excess dosage, if such excess dosage is prescribed, dispensed or administered*
16 *in good faith for recognized medicinal or therapeutic purposes.*

17 *B. The Board of Medicine shall advise physicians of the provisions of this section and § 54.1-3408.1.*
18 *§ 54.1-3408.1. Prescription in excess of recommended dosage in certain cases.*

19 *In the case of a patient with intractable pain, an attending a physician may prescribe a dosage in*
20 *excess of the recommended dosage of a pain relieving agent if he certifies the medical necessity for*
21 *such excess dosage in the patient's medical record. Any person who prescribes, dispenses or administers*
22 *an excess dosage in accordance with this section shall not be deemed to be in violation of the provisions*
23 *of this title because of such excess dosage, if such excess dosage is prescribed, dispensed or*
24 *administered in good faith for accepted medicinal or therapeutic purposes.*

25 *Nothing in this section shall be construed to grant any person immunity from investigation or*
26 *disciplinary action based on the prescription, dispensing or administration of an excess dosage in*
27 *violation of this section title.*

ENROLLED

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