

1 SENATE BILL NO. 607

2 AMENDMENT IN THE NATURE OF A SUBSTITUTE

3 (Proposed by the House Committee on Health and Human Services

4 on February 27, 2024)

5 (Patron Prior to Substitute--Senator McDougle)

6 A BILL to direct the Board of Pharmacy to promulgate regulations related to pharmacy outsourcing and
7 pharmacy technician remote database access.

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

9 1. § 1. The Board of Pharmacy shall promulgate regulations authorizing a pharmacy located in the
10 Commonwealth or out-of-state to outsource tasks associated with dispensing a prescription drug, including
11 verification for accuracy by a pharmacist and alternate delivery to the pharmacy that received the
12 prescription, to a central fill pharmacy permitted in the Commonwealth as a pharmacy or registered as a
13 nonresident pharmacy. In accordance with the regulations, a central fill pharmacy may operate when
14 sufficient automation is employed to safely support the practice of pharmacy and limit distractions for
15 pharmacy personnel, the central fill pharmacy does not accept prescriptions or communications directly
16 from patients or providers, and dispensing is restricted to Schedule VI drugs. The regulations shall
17 authorize the following: (i) the maximum number of persons performing the duties of a pharmacy
18 technician and support personnel a pharmacist may supervise at one time; however, each pharmacist shall
19 determine the number of persons he can safely and competently supervise at one time, not to exceed the
20 maximum number established by the Board of Pharmacy; (ii) pharmacist verification of a drug canister
21 after filling but prior to being placed on a barcoded automated robotic dispenser, in lieu of pharmacist
22 verification of each prescription product for accuracy; (iii) a one-time written notification or sign of the
23 dispensing and delivery process at the initiating pharmacy receiving the prescription; (iv) allowance for
24 an unregistered and unlicensed person to assist in non-dispensing functions such as inventory, delivery,
25 receiving, or packing of completed prescription orders when supported by barcode scanning or other
26 technology; and (v) delivery of the dispensed drug to the patient's residence or originating pharmacy that

27 received the prescription. The transfer of the prescriptions shall not be required if the pharmacies share a
28 common electronic file or have technology that allows sufficient information necessary for dispensing the
29 prescription.

30 § 2. The Board of Pharmacy shall promulgate regulations that allow for pharmacy technicians to
31 access the pharmacy's database from a remote location for the purpose of performing certain prescription
32 processing functions, as further defined in 18VAC110-20-276 (A) of the Virginia Administrative Code.

33 **2. That the Board of Pharmacy shall promulgate regulations to implement the provisions of this act**
34 **to be effective within 280 days of its enactment.**

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