

HOUSE BILL NO. 1952

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Education and Health

on February 16, 2023)

(Patron Prior to Substitute--Delegate Hodges)

A BILL to amend the Code of Virginia by adding in Article 2 of Chapter 34 of Title 54.1 a section numbered 54.1-3434.06, relating to pharmacies; centralized or remote processing of prescriptions; prescription processing delays; work group.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 2 of Chapter 34 of Title 54.1 a section numbered 54.1-3434.06 as follows:

§ 54.1-3434.06. Centralized or remote processing of prescriptions.

A. A pharmacy may perform centralized or remote processing of prescriptions in accordance with Board regulations.

B. Notwithstanding the provisions of § 54.1-3321, an employee registered as a pharmacy technician in the Commonwealth may access the employer pharmacy's database from a remote location for the purpose of performing duties of a pharmacy technician for centralized or remote processing of a prescription as authorized by the Board, provided that the pharmacy establishes controls for protecting the privacy and security of confidential records and provided that adequate remote supervision is provided by a pharmacist licensed in the Commonwealth.

C. A pharmacy technician performing centralized or remote processing of a prescription in another state on behalf of a pharmacy located in the Commonwealth shall hold registration in the Commonwealth or licensure in compliance with the resident state and possess evidence that he has successfully passed a national certification examination administered by the Pharmacy Technician Certification Board or the National Healthcareer Association. A pharmacist licensed in the Commonwealth or in another state wherein the remote processing of a prescription is being performed and who has satisfied licensure

27 requirements substantially comparable to the Commonwealth shall perform a check for accuracy of all
28 processing done remotely.

29 **2. That the Board of Pharmacy (the Board) shall promulgate regulations authorizing a pharmacy**
30 **to outsource to a central fill pharmacy the performance of all tasks associated with dispensing a**
31 **prescription drug, including final verification for accuracy by a pharmacist, and alternate delivery**
32 **to the pharmacy that received the prescription. The regulations shall include an expanded**
33 **pharmacist-to-pharmacy technician ratio for a central fill pharmacy performing duties exclusive of**
34 **a central fill pharmacy that does not dispense drugs to patients in person and incorporates sufficient**
35 **technology to limit distractions to pharmacy personnel. Unless prohibited under federal law, the**
36 **transfer of the prescription shall not be required if the pharmacies share a common electronic file**
37 **or have technology that allows sufficient information necessary for dispensing the prescription. The**
38 **regulations shall include notification to the public of the service and verification of accuracy by a**
39 **pharmacist licensed in the Commonwealth or pharmacist licensed in another state practicing at a**
40 **central fill pharmacy holding registration as a nonresident pharmacy.**

41 **3. That the Board of Pharmacy (the Board) shall promulgate regulations related to prescription**
42 **processing delays that protect the health, safety, and welfare of patients. Such regulations shall**
43 **include provisions (i) addressing prescription backlogs with allowances for supply chain**
44 **interruptions and prior authorization delays; (ii) stating standards for timely processing of**
45 **prescriptions; (iii) stating standards for any corrective action plan detailing staffing, workflow,**
46 **technology, and patient communication strategies to address prescription backlogs; and (iv)**
47 **detailing enforcement remedies available to the Board. In developing its regulations, the Board shall**
48 **convene and consult with a work group comprised of chain and independent pharmacies,**
49 **pharmacist professional organizations, patient advocates, and other relevant stakeholders to**
50 **provide input on the development of the regulations.**

51 **4. That the Board of Pharmacy shall promulgate regulations to implement the provisions of this act**
52 **to be effective within 280 days of its enactment.**

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