

HOUSE BILL NO. 1068

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Education and Health

on February 29, 2024)

(Patron Prior to Substitute--Delegate Hodges)

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

Be it enacted by the General Assembly of Virginia:

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