

HOUSE BILL NO. 516

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 Hope)

A BILL to amend the Code of Virginia by adding a section numbered 54.1-3410.3, relating to prescription drugs; labels; blind and disabled users.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 54.1-3410.3 as follows:

§ 54.1-3410.3. Accessible prescription labels.

A. For the purposes of this section, "prescription reader" means a device that is designed to audibly identify the prescription drug identified on the label affixed to the bottle of a prescription drug.

B. A pharmacy shall notify each person who identifies himself as blind, visually impaired, or otherwise print disabled to whom a prescription drug is dispensed that an accessible prescription label or alternate accommodation is available to the person upon request at no additional cost.

C. If a person informs the pharmacy that he is blind, visually impaired, or otherwise print disabled, and the person requests an accessible prescription label or alternate accommodation, the pharmacy shall:

1. Upon request for an accessible prescription label, provide the person an accessible prescription label affixed to the bottle that:

a. Is available to the person in a timely manner comparable to other patient wait times and will remain available for at least the duration of the prescription;

b. Utilizes audible or large print labels or inserts that are appropriate to the disability and preference of the person making the request;

c. Conforms to the format-specific best practices established by the U.S. Access Board;

25 d. Contains all required label information, including cautions, warnings, and any information
26 available to sighted individuals reading a print label. This information may be included on a recording or
27 a separate document attached to or included within the medication packaging; and

28 e. Is compatible with a prescription reader; or

29 2. Provide appropriate counseling and accommodation to the patient and dispense the medication
30 in suitable packaging with sufficient labeling and such other information as determined by the pharmacist
31 and patient.

32 **2. That the Board of Pharmacy shall adopt initial regulations to implement the provisions of this act**
33 **no later than April 1, 2025. The Board of Pharmacy's initial adoption of regulations necessary to**
34 **implement the provisions of this act shall be exempt from the provisions of the Administrative**
35 **Process Act (§ 2.2-4000 et seq. of the Code of Virginia), except that the Board of Pharmacy shall**
36 **consult with organizations of blind or low-vision consumers and other individuals who are blind,**
37 **community pharmacists, and other pharmacy stakeholders to assist in the development of necessary**
38 **regulations and shall provide an opportunity for public comment on the regulations prior to**
39 **adoption.**

40 **3. That the Board of Pharmacy shall issue a guidance document identifying appropriate**
41 **technologies, packaging, labeling, and counseling for dispensing medications to blind or low-vision**
42 **patients.**

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