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VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact § 54.1-3432 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 54.1-3303.2, relating to remote pharmacist verification and counseling in opioid treatment programs.

[S 421]

Approved

Be it enacted by the General Assembly of Virginia:
1. That § 54.1-3432 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 54.1-3303.2 as follows:

§ 54.1-3303.2. Remote pharmacist verification and counseling in opioid treatment programs.
A. Notwithstanding any other provision of law, a pharmacist may remotely provide counseling for the dispensing of methadone or other medications prescribed for the management of opioid use disorder and provide remote supervision and verification of the accuracy of the dispensed drug in all aspects through real-time, two-way audiovisual communication during operating hours and in accordance with Board regulation at a federally certified opioid treatment program.

B. A pharmacy technician or other authorized personnel may dispense such medication pursuant to subsection A provided that:
1. The pharmacist is licensed and in good standing in the Commonwealth;
2. The pharmacist is immediately available through real-time audiovisual communication and able to provide visual supervision during operating hours of those persons performing the duties of a pharmacy technician;

3. The pharmacist performs all professional judgment functions required by law prior to dispensing; and
4. The opioid treatment program complies with all federal requirements.

C. The Board shall promulgate regulations establishing requirements for:
1. Technology standards of equipment used for remote verification, the provision of counseling, and visual supervision;

2. Training and competency of personnel;
3. Documentation and recordkeeping;
4. Patient privacy and safety; and

5. Pharmacists to serve as pharmacist-in-charge at multiple pharmacies operating within an opioid treatment program in accordance with this section, which may include a requirement for the pharmacist to be physically present on-site at least one day per calendar month.

D. Nothing in this section shall be construed to require an opioid treatment program to utilize remote pharmacist supervision or limit the authority of the Board to enforce standards of practice or take disciplinary action.

§ 54.1-3432. Supervision by pharmacist.
Every pharmacy shall be under the personal supervision of a pharmacist on the premises of the pharmacy except as provided in § 54.1-3303.2.

2. That the Board of Pharmacy shall promulgate regulations to implement the provisions of this act and such regulations shall be exempt from the requirements of the Administrative Process Act (§ 2.2-4000 et seq.) of the Code of Virginia.