



WEST VIRGINIA BOARD OF PHARMACY

newsletter to promote pharmacy and drug law compliance

Availability of Naloxone OTC

- The **over-the-counter (OTC) Narcan® product (Naloxone HCl 4 mg Nasal Spray)** is now available and is arriving in stores throughout West Virginia. This product has new packaging and is labeled for OTC use via a drug facts label.
 - Product counseling should be provided upon request; however, counseling is **not** required when dispensing this product.
 - Also pharmacists are not required to provide educational materials with the OTC product (brochures regarding use of naloxone and substance use disorder).
- The Narcan OTC product does not require processing through the pharmacy management system or additional labeling not provided by the manufacturer in the drug facts label.
 - Dispensing of this product does not require reporting to the West Virginia Board of Pharmacy through the Controlled Substance Automated Prescription Program.
 - Individuals may purchase it without providing state-issued identification or other identifying information (may be purchased at any register).
- All naloxone products **not containing** an OTC drug facts label may continue to be dispensed with a prescription or without a prescription (refer to [§16-46-3a](#) and the [Naloxone Protocol](#) available through the Board).

National Pharmacy Compliance News

A Service of the National Association of Boards of Pharmacy Foundation (NABPF)

Visit NABP's website for the latest regulatory updates and news from FDA, USP, NABP, and more.

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- If dispensing under the [statewide standing order](#), the current state health officer will be the prescribing physician.

Emergency Rules Filed With West Virginia Secretary of State

There are three rules that have been filed and approved as emergency rules with the West Virginia Secretary of State and are effective now. These can be found on the Board’s website under “LAWS” and are also listed below. The emergency rules will also go through the regular rulemaking process in the next legislative session.

The following rules are effective now, as they have been filed and approved by the Secretary of State as emergency rules until the legislative rule goes through the rulemaking process during the next legislative session.

- [§15-12 Immunizations Administered by Pharmacists, Pharmacy Interns, and Pharmacy Technicians](#)
- [§15-14 Centralized Prescription Processing](#)
- [§15-15 Regulations Governing Pharmacy Permits](#)

The additions to the new rules are underlined, and the items that have been deleted are marked with strikethroughs.

While you are required to read the rules in their entirety, the Board has provided a summary of the rules below:

§15-12 Immunizations Administered by Pharmacists, Pharmacy Interns, and Pharmacy Technicians

1. Adds pharmacy technicians to the list of immunizers in the pharmacy if they have approved training, are under direct pharmacist supervision, and have completed the required continuing education in immunizations.
2. Lowers the age for pharmacist-provided immunizations from age 11 and older to age three and older to make West Virginia law match the Public Readiness and Emergency Preparedness Act that was in effect during the COVID-19 emergency.
3. Removes the requirement for a prescription for Centers for Disease Control and Prevention-recommended vaccines for ages three years and up, if there is informed parental consent and the patient/caregiver is informed of the importance of a well-child visit (three-17 years old) and there are no contraindications.
4. Pharmacy technicians must be trained utilizing the training programs specific to pharmacy technicians immunizing approved by the Board during COVID-19, have a current CPR card, and register with the Board. The registration is **free** for pharmacy technicians. Technicians should

keep a copy of the email sent, as they will not receive a confirmation from the Board. The pharmacy technician can confirm receipt and processing of the registration by verifying that their license on wvbop.com says “Yes” in the “Immunization” box.

§15-14 Centralized Prescription Processing

- Expands who can use an electronic database and what can be done with prescription processing while not in a pharmacy under specific conditions.

§15-15 Regulations Governing Pharmacy Permits

- Clarifies specific requirements that a pharmacy must follow when it is closed or not open regular business hours due to a planned temporary, permanent, or emergency closure.

Pharmacy Technicians and Providing Immunizations

The Board has approved the following pharmacy technician immunization training programs:

- American Pharmacists Association (APhA)
- CEImpact – Immunization Administration Training for Pharmacy Technicians
- FreeCE (PharmCon) – Pharmacy Technician Enhanced Training: Immunization
- Michigan Pharmacists Association/Pharmacy Association, Inc
- Powell Health – Immunization Administration: Overview and Updates in the World of Immunizations
- PTU Elite: Immunizations
- Purdue University College of Pharmacy/Walmart – Immunization Training for the Pharmacy Technician
- Sullivan University – Pharmacy Technician Immunization Administration Training

Registering as a pharmacy technician to administer immunizations will typically be completed when renewing the pharmacy technician permit. However, if a pharmacy technician completes the required training between registration renewals, they should complete the following questions and email the attached documents with the subject line “PT Immunization Registration” to boardofpharmacy@wv.gov.

The Board will update your profile. The pharmacy technician will not receive a response from the Board but should keep a copy of the email for their records.

- Name
- License number
- Are you trained to be an Immunizing Pharmacy Technician? Y/N

- Please attach proof of APhA Pharmacy Technician Immunization Training or other Board-approved training certificate.
- Please attach proof of current Board-approved CPR training.

DEA Statement on Transfer of Electronic Prescriptions for Schedule II-V CS Between Pharmacies for Initial Filling

On July 27, 2023, Drug Enforcement Administration (DEA) published the final rule for 21 Code of Federal Regulations 1306 related to the transfer of electronic prescriptions for Schedule II-V controlled substances (CS) between pharmacies for initial filling. The rule states that an electronic prescription for a CS in Schedule II-V may be transferred between retail pharmacies for initial filling on a one-time basis only and clarifies that any refills included on the prescription for a Schedule III, IV, or V CS are transferred with the original prescription. The transfer must be communicated directly between two pharmacists; the prescription must remain in its electronic form; and the contents of the prescription must be unaltered during transmission. To “remain in its electronic form,” the prescription cannot be transferred via phone, fax, or any method other than via the electronic transmission that the prescription was received. According to comments in the DEA final rule from Centers for Medicare & Medicaid Services and the National Council for Prescription Drug Programs, this will be possible with SCRIPT Standard Version 2017071 if your pharmacy software vendor has not rolled out this feature yet. Once all DEA’s final rule stipulations are met, this DEA-permitted transfer will be authorized in West Virginia.

Availability of COVID-19 Therapeutics

COVID-19 therapeutics are still available through the state and federal government and can be ordered. If you would like to order Paxlovid™, renal Paxlovid, or molnupiravir and have not done so already, please email Krista Capehart at krista.d.capehart@wv.gov and she will work with you to get registered and place an order.

The West Virginia Board of Pharmacy News is published by the West Virginia Board of Pharmacy and the National Association of Boards of Pharmacy Foundation® (NABPF®) to promote compliance of pharmacy and drug law. The opinions and views expressed in this publication do not necessarily reflect the official views, opinions, or policies of NABPF or the Board unless expressly so stated.

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