



## New WV BOP Officers Elected at the June 2025 Board Meeting

The quarterly Board of Pharmacy meeting was held June 29-30, 2025 at Glade Springs Resort, Daniels, WV. New officers were elected including David Bowyer, RPh as President, Jenna Misiti as Vice President, and James Rucker as Secretary for the 2025-2026 year. Their terms began on the first of July. Additionally, David Bowyer was elected as the District 2 representative to the NABP Executive Committee for a 3-year term.

## Inspection Team Updates

The Inspection Team has updated the inspection forms. While the content remains essentially the same, the new forms allow the inspectors to note as their observation: "Compliant," "Partial Compliance," or "Non-Compliant" and the action required in the agreed upon time frame. This will promote clearer inspections and better understanding. The WV BOP Staff will also begin providing trainings soon to assist licensees. These will be on a variety of topics including skills and compliance.

## Remembering: George Karos, 1931-2025

Mr. George Karos passed away the morning of June 1, 2025. He has left a long lasting and remarkable legacy on the practice of pharmacy in West Virginia and his community of Martinsburg. Born on September 10, 1931, Mr. Karos would go on to serve in the U.S. Navy and then graduate from the Medical College of Virginia, School of Pharmacy in Richmond Virginia in 1959. He came back to Martinsburg and worked with Mr. Patterson at Patterson's Drug Store before purchasing and running it for years, retiring at 83 years old in 2015. He served on the WV Board of Pharmacy and as its President. He also spent nearly 40 years in service to the city of Martinsburg, including his long tenure as mayor. Mr. Karos received many accolades for his community and professional involvement including the WV Pharmacist Association Bowl of Hygieia. We are grateful for his service to West Virginia, pharmacy, and the patients of this great state.

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New River Gorge Bridge ~ Photo by Thomas Caldwell, RPh



## **Multiple Statute and Rule Changes from the 2025 Legislative Session**



**Rules Effective - July 1, 2025**

### **§15-1 General Rules of The Practice of Pharmacy**

A few changes were made in W.V. 15 CSR 1. The definitions of “beyond-use date” and “expiration date” were updated to reflect current United States Pharmacopeia Standards. The update changes impact all extemporaneous unit dose, unit of use, punch card or any other specialized packaging repackaged by pharmacies licensed by state boards of pharmacy including a maximum dating of six months from the date of repackaging, the manufacturer’s expiration date, or as modified in WV CSR §15-5 et seq. This is not include those place in regular amber vials, also know as multi-dose vials

Dental practices do not need consultant pharmacists and there is a new process for renewing the consultant pharmacist permit. Further information on this process can be found on the Board’s website at [www.wvbop.com](http://www.wvbop.com).

### **§15-15 Regulations Governing Pharmacy Permits**

With many pharmacies shortening hours and patient access to medications decreasing, pharmacies had requested a consideration for direct-to-patient systems (DTP) for patient access. These “lockers” must be located at the site of the pharmacy. For example, these locker devices cannot be in a non-pharmacy location like a physicians office or store of another kind that does not hold a pharmacy permit. For the complete list of requirements for DTP systems see the WV CSR §15-15-12 linked in the newsletter.

### **§15-2 Rules of the Board of Pharmacy for the Uniform Controlled Substances Act**

The change in §15-2 defines “acute care hospital” and provides a process for these facilities to appropriately dispose of a patient’s abandoned controlled substances at these facilities. These defined abandoned controlled substances shall be destroyed in the presence of two pharmacists, a pharmacist and pharmacy technician, or a pharmacist and a registered nurse employed by the facility. There is required documentation listed in the rule.

In August 2023, the DEA changed the process for reporting theft or significant loss of controlled substances. This rule change alters WV’s process to match that of the DEA. A registrant shall notify the Board in writing of the theft or significant loss of any controlled substances within one business day of discovery of such loss or theft. The registrant must also file a complete and accurate DEA Form 106 with the Board within 45 days after the discovery of the theft or significant loss. As a reminder, the pharmacist-in-charge must immediately notify the Board of the separation of employment of any pharmacist, pharmacy intern, pharmacy technician, or pharmacy technician trainee for any confirmed drug-related reason, including but not limited to, adulteration, abuse, theft, or diversion as required in W.Va. CSR §15-1-16.2.7.e-f.

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## Multiple Statute from the 2025 Legislative Session (cont.)

### SB 299 Modifying WV regulations on pubertal modulation, hormonal therapy, and gender reassignment

This bill passed this Legislative session and became effective July 11, 2025. While it has specific measures prohibiting physicians, physician assistants, and nurse practitioners from prescribing gender altering medication as defined in the bill to a person under individual age 18 years of age. The bill also references a health care practitioner as a person licensed to practice under §30-5-1 et seq. which includes a pharmacist, pharmacy technician, pharmacy technician trainee, and pharmacy intern. Included in this bill are the prohibition of “prescribing or dispensing an abortifacient” and “prescribing or dispensing gender altering medication to a person who is under 18 years of age” by health care practitioners. See SB 299 for the complete details of the bill. There will be additional rules during Legislative Session 2026.

### SB 458 Universal Professional and Occupational Licensing Act of 2025

The Universal Professional and Occupational Licensing Act of 2025 passed and became effective July 1, 2025 effecting pharmacists, pharmacy technicians, pharmacy technician trainees and pharmacy interns. For an individual to apply for licensure or registration via the Universal Professional and Occupational Licensing Act of 2025 W. Va. Code §30-1-27, he or she must either establish WV residence in this state or be married to an active-duty member of the armed forces of the United States and accompanied the member to an official permanent change of station to a military installation located in this state. The individual must also have been a licensed or registered pharmacist, pharmacy technician, pharmacy technician trainee, or pharmacy intern in another state. Pursuant to W. Va. Code §30-1-27, the pharmacist applicant will still be required to take the WV Multistate Pharmacy Jurisprudence Examination (MPJE).

### SB 526 Pharmacist Prescribing Authority Act

The Pharmacist Prescribing Authority Act became effective July 11, 2025 and permits a pharmacist to prescribe drugs, excluding controlled substances, that are in accordance with the product’s federal Food and Drug Administration-approved labeling and that are limited to conditions for which a relevant patient medication history has been taken and have a test that is used to guide diagnosis or clinical decision-making that is waived under the federal Clinical Laboratory Improvement Amendments of 1988 that indicates the existence of the following conditions only: influenza; SARS-COV-2; and RSV.

There is not a specific training program or protocol required for participation. Only CLIA-waived tests and appropriate treatment for influenza, SARS-COV-2, and RSV are included for prescribing. The bill also permits a pharmacist to refill an expired prescription for an epinephrine injection device. The pharmacist is required to notify the patient’s primary care physician of the test result and medication prescribed and dispensed within 72 hours. If no primary care provider is provided, the pharmacist shall attempt to make a patient referral to a primary care physician. Reminder: being the prescriber for these services for the medication to be covered usually requires the prescriber (in this case the pharmacist) to be enrolled in the medical side of the patient’s insurance plan, just like any other prescriber. The authority to test and prescribe is only covered in the scope of a pharmacist, not any other pharmacy personnel and may not be delegated. Pharmacists should also ensure that appropriate training and education has been completed prior to providing the services permitted in the bill per his/her professional judgement.

Some items to take care of before initiating the service as with any new service include:

- Training
- CLIA-waiver
- Policies and procedures
- Documentation and reporting (Primary care provider and reportable illnesses)

## Immunization Updates

The CDC Immunization Schedule is annually updated and the new schedules posted each fall. However, the Advisory Committee on Immunization Practices (ACIP) meets at least quarterly to review new evidence on currently available vaccines and revise the schedules. The authority for pharmacists in WV to order and administer vaccines in WV is based on the current CDC recommended vaccines. Therefore, WV pharmacists should always stay up-to-date on the current vaccine recommendations for each populations. The current CDC recommendation for immunization schedules and recent meeting recommendations that have been adopted by the CDC Director can be found at <https://www.cdc.gov/vaccines/acip/recommendations.html>. The most recent ACIP meeting occurred June 25-26, 2025 and included changes to vaccines recommendations for RSV and influenza. We anticipate another meeting in August/September 2025 for COVID-19 recommendations. Make certain you stay up-to-date! Questions can be addressed by emailing Krista Capehart at [krista.d.capehart@wv.gov](mailto:krista.d.capehart@wv.gov).



## Helping Patients with Substance Use Disorder

Resources are now available on the WVBOP Website to help assist individuals with substance use disorder or those needing assistance with social services such as shelter, food banks, or warm meals. Both statewide resources and some local (county) resources are available under “FAQs” tab then “SUD Resources”.

## DEA Publishes Final Rule on Buprenorphine Treatment via Telemedicine Encounter

The DEA published a final rule on in January 2025 with effective date of December 31, 2025 related to the buprenorphine treatment via telemedicine encounters. Among other provisions, the rule requires the prescriber to check the controlled substance monitoring program and has a time limitation for buprenorphine prescriptions. Telemed (audio-only or audio-visual) prescriptions may be issued for up-to 6 months. If, at that point, an in-person visit is held, the prescriber requirements have been met. The pharmacist shall verify the identity of the patient prior to filling a controlled medication prescription issued under the authority of this section. The entire rule can be viewed [here](#).

## DEA Issues Warning about Scams and Urges Vigilance with Rising Electronic Prescription Fraud

The DEA issued a SCAM ALERT letter on June 23, 2025 regarding letters and letters and calls targeting medical providers. It is not the DEA’s practice to call registrants or non-registrants regarding investigative matters. Please report the incident to the FBI at [www.ic3.gov](http://www.ic3.gov). The entire DEA letter can be viewed [Here](#).

The DEA is also providing resources and urging pharmacists to be vigilant due to rising electronic prescription fraud. They have created a video about the process and a [Pharmacist’s Guide to Prescription Fraud](#). These resources can be viewed in their entirety [here](#).



Country Roads ~ WV Photo by Bill Petros, PharmD

Do you love taking  
photos of our  
beautiful state?



Submit them @  
[krista.d.capehart@wv.gov](mailto:krista.d.capehart@wv.gov)  
and yours could  
be featured in the next  
WV BOP Newsletter!

## Recent Board Action

Additional information as required by law on Board finalized discipline can be seen on the Board’s website at [www.wvbop.com](http://www.wvbop.com) under Public/Recent Board Action

CVS Pharmacy #7649  
08/12/2024 - Reprimand

Christopher Flanagan  
11/13/2024 - Revoked

David R. Nolan  
11/19/2024 - Reprimand

Melissa Tetrick  
12/12/2024 - Suspended

Kylie Detamore  
12/27/2024 - Reprimand

Tawana Stoudemire  
01/14/2025 - Reprimand

Clayton Snow  
01/14/2025 - Reprimand

Douglas Lester  
01/22/2025 - Reprimand

Health Direct Pharmacy  
02/11/2025 - Reprimand

Seth EM Hough  
03/20/2025 - Reprimand

Walgreens Pharmacy #12678  
04/16/2025 - Reprimand

Walgreens Pharmacy #19852  
04/16/2025 - Reprimand

*Thank you for reading!*

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Questions regarding the content of the July 2025 Newsletter can be sent to Krista Capehart, PharmD, Director of Professional and Regulatory Affairs at <a href="mailto:krista.d.capehart@wv.gov">krista.d.capehart@wv.gov</a>	

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