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1   **HOUSE BILL NO. 939**
2   Offered January 12, 2022
3   Prefiled January 12, 2022

4   *A BILL to amend and reenact § 32.1-42.1 of the Code of Virginia, relating to Commissioner of Health;*
5   *administration and dispensing of necessary drugs and devices during public health emergency.*
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                           Patron—Robinson
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8   Committee Referral Pending
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10   **Be it enacted by the General Assembly of Virginia:**
11   **1. That § 32.1-42.1 of the Code of Virginia is amended and reenacted as follows:**
12   **§ 32.1-42.1. Administration and dispensing of necessary drugs and devices during a declared**
13   **disaster or emergency.**
14   The Commissioner, pursuant to § 54.1-3408, may authorize persons who are not authorized by law to
15   administer or dispense drugs or devices to administer or dispense all necessary drugs or devices in
16   accordance with protocols established by the Commissioner when (i) the Governor has declared a
17   disaster or a state of emergency ~~or~~*,* the United States Secretary of Health and Human Services has
18   issued a declaration of an actual or potential bioterrorism incident or other actual or potential public
19   health emergency*, or when the Board has made an emergency order pursuant to § 32.1-13 for the*
20   *purpose of suppressing nuisances dangerous to the public health and communicable, contagious, and*
21   *infectious diseases and other dangers to the public life and health*; (ii) it is necessary to permit the
22   provision of needed drugs or devices; and (iii) such persons have received the training necessary to
23   safely administer or dispense the needed drugs or devices. Such persons shall administer or dispense all
24   drugs or devices under the direction, control*,* and supervision of the Commissioner. For purposes of this
25   section, "administer," "device," "dispense," and "drug" shall have the same meaning as provided in
26   § 54.1-3401. The Commissioner shall develop protocols, in consultation with the Department of Health
27   Professions, that address the required training of such persons and procedures for such persons to use in
28   administering or dispensing drugs or devices.