

SENATE BILL REPORT

SHB 2443

As Reported by Senate Committee On:
Health & Long-Term Care, February 17, 2010

Title: An act relating to conforming the uniform controlled substances act to existing state and federal law.

Brief Description: Conforming the uniform controlled substances act to existing state and federal law.

Sponsors: House Committee on Health Care & Wellness (originally sponsored by Representatives Ericksen, Cody and Morrell; by request of Department of Health).

Brief History: Passed House: 1/28/10, 97-0.

Committee Activity: Health & Long-Term Care: 2/17/10 [DP].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass.

Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug, Ranking Minority Member; Becker, Marr and Parlette.

Staff: Edith Rice (786-7444)

Background: Controlled substances are drugs, substances, or immediate precursors included in Schedules I through V in federal and state laws and rules. State law grants the Board of Pharmacy the ability to add, delete, or reschedule substances in WAC and sets out criteria for consideration. If a substance is designated, rescheduled, or deleted as a controlled substance under federal law, the Board is directed to take similar action in its WAC rules.

The list of controlled substances and immediate precursors in Chapter 69.50 RCW was last updated in 1993. Since 1994 the Drug Enforcement Agency has scheduled, rescheduled, or deleted approximately 45 substances from Schedules I through V. Changes made to the Code of Federal Regulations (CFR) or the Washington Administrative Code after 1993 are not reflected in current law. Differences between state and federal statutes and rules can cause confusion for medical and legal practitioners.

Summary of Bill: Chapter 69.50 RCW is updated to include substances listed in Title 21 CFR. Multiple sclerosis is included as a condition for which a Schedule II non-narcotic

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stimulant may be prescribed, dispensed, or administered to patients. Practitioner is now defined to include naturopathic physician and osteopathic physician assistant, consistent with state law. Other technical corrections are addressed.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This is the same as the Senate bill passed out of this committee and passage will provide consistency between federal and state laws and regulations.

Persons Testifying: PRO: Karen Jensen, Department of Health.