
HOUSE BILL 2757

State of Washington 61st Legislature 2010 Regular Session

By Representatives Morrell, Hinkle, Moeller, Wallace, Clibborn, Herrera, Cody, Green, Campbell, Rolfes, Simpson, Hunt, Morris, and Chase

Read first time 01/13/10. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to authorizing Washington pharmacies to fill
2 prescriptions written by advanced registered nurse practitioners in
3 other states or in certain provinces of Canada; and reenacting and
4 amending RCW 69.41.030.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 69.41.030 and 2003 c 142 s 3 and 2003 c 53 s 323 are
7 each reenacted and amended to read as follows:

8 (1) It shall be unlawful for any person to sell, deliver, or
9 possess any legend drug except upon the order or prescription of a
10 physician under chapter 18.71 RCW, an osteopathic physician and surgeon
11 under chapter 18.57 RCW, an optometrist licensed under chapter 18.53
12 RCW who is certified by the optometry board under RCW 18.53.010, a
13 dentist under chapter 18.32 RCW, a podiatric physician and surgeon
14 under chapter 18.22 RCW, a veterinarian under chapter 18.92 RCW, a
15 commissioned medical or dental officer in the United States armed
16 forces or public health service in the discharge of his or her official
17 duties, a duly licensed physician or dentist employed by the veterans
18 administration in the discharge of his or her official duties, a
19 registered nurse or advanced registered nurse practitioner under

1 chapter 18.79 RCW when authorized by the nursing care quality assurance
2 commission, an osteopathic physician assistant under chapter 18.57A RCW
3 when authorized by the board of osteopathic medicine and surgery, a
4 physician assistant under chapter 18.71A RCW when authorized by the
5 medical quality assurance commission, or any of the following
6 professionals in any province of Canada that shares a common border
7 with the state of Washington or in any state of the United States: A
8 physician licensed to practice medicine and surgery or a physician
9 licensed to practice osteopathic medicine and surgery, a dentist
10 licensed to practice dentistry, a podiatric physician and surgeon
11 licensed to practice podiatric medicine and surgery, a licensed
12 advanced registered nurse practitioner, or a veterinarian licensed to
13 practice veterinary medicine(~~(, in any province of Canada which shares~~
14 ~~a common border with the state of Washington or in any state of the~~
15 ~~United States))): PROVIDED, HOWEVER, That the above provisions shall
16 not apply to sale, delivery, or possession by drug wholesalers or drug
17 manufacturers, or their agents or employees, or to any practitioner
18 acting within the scope of his or her license, or to a common or
19 contract carrier or warehouseman, or any employee thereof, whose
20 possession of any legend drug is in the usual course of business or
21 employment: PROVIDED FURTHER, That nothing in this chapter or chapter
22 18.64 RCW shall prevent a family planning clinic that is under contract
23 with the department of social and health services from selling,
24 delivering, possessing, and dispensing commercially prepackaged oral
25 contraceptives prescribed by authorized, licensed health care
26 practitioners.~~

27 (2)(a) A violation of this section involving the sale, delivery, or
28 possession with intent to sell or deliver is a class B felony
29 punishable according to chapter 9A.20 RCW.

30 (b) A violation of this section involving possession is a
31 misdemeanor.

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