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SENATE BILL 5892

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State of Washington

61st Legislature

2009 Regular Session

By Senators Keiser and Shin; by request of Governor Gregoire

Read first time 02/05/09. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to authorizing state purchased health care programs  
2 to maximize appropriate prescription drug use in a cost-effective  
3 manner; amending RCW 69.41.190.

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

5 **Sec. 1.** RCW 69.41.190 and 2006 c 233 s 1 are each amended to read  
6 as follows:

7 (1) Except as provided in subsection (2) of this section, any  
8 pharmacist filling a prescription under a state purchased health care  
9 program as defined in RCW 41.05.011(2) shall substitute, where  
10 identified, a preferred drug for any nonpreferred drug in a given  
11 therapeutic class(~~, unless the~~). When a substitution is made, the  
12 dispensing pharmacist shall notify the endorsing practitioner of the  
13 specific drug and dose dispensed.

14 (2) If an endorsing practitioner has indicated on the prescription  
15 that the nonpreferred drug must be dispensed as written, or if the  
16 prescription is for a refill of an antipsychotic, antidepressant,  
17 chemotherapy, antiretroviral, or immunosuppressive drug, or for the  
18 refill of a immunomodulator/antiviral treatment for hepatitis C for  
19 which an established, fixed duration of therapy is prescribed for at

1 least twenty-four weeks but no more than forty-eight weeks, (~~in which~~  
2 ~~ease~~) then, except as provided under subsection (3) of this section,  
3 the pharmacist shall dispense the prescribed nonpreferred drug.

4 ~~((2) When a substitution is made under subsection (1) of this~~  
5 ~~section, the dispensing pharmacist shall notify the prescribing~~  
6 ~~practitioner of the specific drug and dose dispensed.))~~

7 (3) State purchased health care programs shall maximize appropriate  
8 prescription drug use through strategies including, but not limited to:

9 (a) Adopting restrictions on a pharmacist's authority to fill a  
10 prescription with instructions to dispense as written, in order to  
11 address inappropriate variation among practitioners in prescribing  
12 patterns or the use of specific instructions to dispense as written;

13 (b) Designating generic products in a previously reviewed drug  
14 class as preferred, without additional review by a pharmacy and  
15 therapeutics committee established pursuant to RCW 70.14.050;

16 (c) Requiring generic products be dispensed as the first course of  
17 treatment, when available;

18 (d) Designating over-the-counter drugs as preferred; and

19 (e) Restricting the practice of prescribing pharmaceuticals for a  
20 purpose outside the scope of their approved labels.

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