
Health Care & Wellness Committee

SSB 5459

Brief Description: Requiring ninety-day supply limits on certain drugs dispensed by a pharmacist.

Sponsors: Senate Committee on Health Care (originally sponsored by Senators Becker, Keiser, Parlette, Dammeier and Kline).

<p style="text-align: center;">Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">• Allows a licensed pharmacist to refill a 90-day supply of a prescription after the patient has completed his or her initial prescription.
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Hearing Date: 3/14/13

Staff: Jim Morishima (786-7191).

Background:

A licensed pharmacist may fill prescriptions written by certain health care providers, including:

- physicians;
- osteopathic physicians;
- optometrists;
- dentists;
- podiatric physicians;
- veterinarians;
- advanced registered nurse practitioners;
- physician assistants; and
- osteopathic physician assistants.

A drug prescription must contain an instruction on whether a therapeutically equivalent generic drug may be substituted in its place. Prescriptions may be transmitted electronically, in writing, or orally.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill:

A pharmacist may dispense a supply of no more than 90 days of a drug that is not a controlled substance pursuant to a prescription that specifies an initial quantity of less than a 90-day supply followed by periodic refills if:

- the patient has completed an initial 30-day supply of the drug, unless the prescription continues the same medication previously dispensed in a 90-day supply, in which case the initial 30-day supply is not required;
- the total quantity of dosage units dispensed does not exceed the total quantity of dosage units authorized by the prescriber, including refills;
- the prescriber has not specified on the prescription that dispensing the prescription in an initial amount followed by periodic refills is medically necessary; and
- the pharmacist is exercising his or her professional judgment.

A pharmacist may not dispense a greater supply of a drug pursuant to this authority if the prescriber personally indicates, orally or in writing, "no change to quantity" or similar words. A prescriber may check a box marked "no changed to quantity" if he or she initials the box or checkmark. If a pharmacist dispenses an increased supply of a drug, he or she must notify the prescriber of the increase in the quantity of dosage units dispensed.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on March 8, 2013.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.