H-1724.1

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**SUBSTITUTE HOUSE BILL 1765**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** House Health Care & Wellness (originally sponsored by Representatives Irwin, Koster, Volz, Kraft, Stokesbary, and Kloba)

AN ACT Relating to donations to the prescription drug donation program; amending RCW 69.70.020; and declaring an emergency.

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

**Sec.**  RCW 69.70.020 and 2016 c 43 s 2 are each amended to read as follows:

(1) Any practitioner, pharmacist, medical facility, drug manufacturer, or drug wholesaler may donate prescription drugs and supplies to a pharmacy for redistribution without compensation or the expectation of compensation to individuals who meet the prioritization criteria established in RCW 69.70.040. Donations of prescription drugs and supplies may be made on the premises of a pharmacy that elects to participate in the provisions of this chapter. A pharmacy that receives prescription drugs or supplies may distribute the prescription drugs or supplies to another pharmacy, pharmacist, or prescribing practitioner for use pursuant to the program.

(2) The person to whom a prescription drug was prescribed, or the person's representative, may donate prescription drugs under subsection (1) of this section if, as determined by the professional judgment of a pharmacist, ((~~the~~)) prescription drugs:

(a) Equipped with a time temperature indicator at the point of manufacture were stored under required temperature conditions using the prescription drugs' time temperature indicator information and the person, or the person's representative, has completed and signed a donor form, adopted by the department, to release the prescription drug for distribution under this chapter and certifying that the donated prescription drug has never been opened, used, adulterated, or misbranded; or

(b) Not equipped with a time temperature indicator at the point of manufacture, were properly stored and the person, or the person's representative, has completed and signed a donor form, adopted by the department, to release the prescription drugs for distribution under this chapter and certified that the donated prescription drugs have never been opened, used, adulterated, or misbranded. The donor form must require that the person, or the person's representative, attest that the donated prescription drugs have been stored in a manner and location that adheres to the conditions established by the manufacturer.

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

**--- END ---**