

WAC 246-945-025 Prescription drug price advertising. (1) A pharmacy may advertise legend or prescription drug prices provided:

(a) The advertising complies with all state and federal laws, including regulations of the FDA and the Washington State Consumer Protection Act, chapter 19.86 RCW.

(b) The advertising is solely directed towards providing consumers with drug price information and does not promote the use of a prescription drug or drugs to the public.

(c) The drug price advertising shall contain all the following information for all drug products or brand names used in the advertisement:

(i) The proprietary name of the drug product advertised, if any;

(ii) The generic name of the drug product advertised, if any;

(iii) The strength of the drug product advertised. If the drug product advertised contains more than one active ingredient and a relevant strength can be associated with it without indicating each active ingredient, the generic name and quantity of each active ingredient is not required; and

(iv) The price charged for a specified quantity of the drug product.

(2) Advertising of any generic drug that in any way compares a generic drug to a brand name drug may not in any manner imply that the brand name drug is the product offered for sale.

(3) A person, partnership, corporation, association, or agency may not advertise controlled substances for sale to the general public in any manner that promotes or tends to promote the use or abuse of those drugs. Controlled substances may not be physically displayed to the public.

(4) Upon request from the patient, no pharmacy shall refuse to disclose the cost to the specific patient of a prescription drug without third-party reimbursement or discounts.

[Statutory Authority: RCW 18.64.005, 18.64.080, 18.130.075, 18.64.043, 18.64.044, 18.64.045, 18.64.046, 18.64.370, 18.64.460, 69.50.310, 18.64.011, 18.64.245, 18.64.470, 18.64.255, 18.64.205, 18.64.253, 18.64.410, 18.64.500, 18.64.590. WSR 20-12-072, § 246-945-025, filed 6/1/20, effective 7/1/20.]