CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1789

Chapter 30, Laws of 1991

52nd Legislature
1991 Regular Session

OUT-OF-STATE PRESCRIPTIONS--TIME LIMIT ON FILLING REMOVED

EFFECTIVE DATE: 4/22/91

Passed by the House March 12, 1991
Yeas 96 Nays 0

JOE KING
Speaker of the
House of Representatives

Passed by the Senate April 9, 1991
Yeas 47 Nays 0

ALAN BLUECHEL
President of the Senate

Certified by the Chief Clerk
ALAN THOMPSON
Chief Clerk

Approved April 22, 1991

FILED

April 22, 1991 - 1:31 p.m.

BOOTH GARDNER
Governor of the State of Washington

FILED

April 22, 1991 - 1:31 p.m.

SECRETARY OF STATE
State of Washington
AN ACT Relating to limitations on filling prescriptions written by authorized prescribers not licensed in this state; amending RCW 69.41.030; and declaring an emergency.

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

Sec. 1. RCW 69.41.030 and 1990 c 219 s 2 are each amended to read as follows:

It shall be unlawful for any person to sell, deliver, or possess any legend drug except upon the order or prescription of a physician under chapter 18.71 RCW, an osteopathic physician or an osteopathic physician and surgeon under chapter 18.57 RCW, a dentist under chapter 18.32 RCW, a podiatric physician and surgeon under chapter 18.22 RCW, a veterinarian under chapter 18.92 RCW, a commissioned medical or dental officer in the United States armed forces or public health service in the discharge of his or her official duties, a duly licensed physician or
dentist employed by the veterans administration in the discharge of his or her official duties, a registered nurse under chapter 18.88 RCW when authorized by the board of nursing, an osteopathic physician’s assistant under chapter 18.57A RCW when authorized by the committee of osteopathic examiners, a physician assistant under chapter 18.71A RCW when authorized by the board of medical examiners, a physician licensed to practice medicine and surgery or a physician licensed to practice osteopathy and surgery, a dentist licensed to practice dentistry, a podiatric physician and surgeon licensed to practice podiatric medicine and surgery, or a veterinarian licensed to practice veterinary medicine, in any province of Canada which shares a common border with the state of Washington or in any state of the United States: PROVIDED, HOWEVER, That the above provisions shall not apply to sale, delivery, or possession by drug wholesalers or drug manufacturers, or their agents or employees, or to any practitioner acting within the scope of his or her license, or to a common or contract carrier or warehouseman, or any employee thereof, whose possession of any legend drug is in the usual course of business or employment: PROVIDED FURTHER, That nothing in this chapter or chapter 18.64 RCW shall prevent a family planning clinic that is under contract with the department of social and health services from selling, delivering, possessing, and dispensing commercially prepackaged oral contraceptives prescribed by authorized, licensed health care practitioners: PROVIDED FURTHER, That it shall be unlawful to fill a prescription written by an authorized prescriber who is not licensed in this state if more than six months has passed since the date of the issuance of the original prescription).

NEW SECTION. Sec. 2. 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 shall take effect immediately.

Passed the House March 12, 1991.
Passed the Senate April 9, 1991.
Approved by the Governor April 22, 1991.
Filed in Office of Secretary of State April 22, 1991.