

# HOUSE BILL REPORT

## ESHB 1769

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### As Amended by the Senate

**Title:** An act relating to electronic transfer of prescription information.

**Brief Description:** Providing for the electronic transfer of prescriptions.

**Sponsors:** By House Committee on Health Care (originally sponsored by Representatives Zellinsky, Sheldon and L. Thomas).

**Brief History:**

**Committee Activity:**

Health Care: 3/4/97 [DPS].

**Floor Activity:**

Passed House: 2/10/98, 96-0.

Senate Amended.

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### HOUSE COMMITTEE ON HEALTH CARE

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Dyer, Chairman; Skinner, Vice Chairman; Cody, Ranking Minority Member; Murray, Assistant Ranking Minority Member; Anderson; Conway; Sherstad; Wood and Zellinsky.

**Minority Report:** Do not pass. Signed by 2 members: Representatives Backlund, Vice Chairman; and Parlette.

**Staff:** John Welsh (786-7133).

**Background:** The use of electronic equipment for transferring patient prescription information is not currently authorized or regulated.

**Summary of Bill:** The electronic communication of prescription information is authorized by law.

Electronic communication of prescription information means the transfer of prescription information by computer, facsimile visual imaging (FAX), or other electronic means, for original or refill information for legend drugs and controlled

substances between a prescribing practitioner and a pharmacy, or between pharmacies.

Electronically communicated prescription information is limited to schedule III through V controlled substances and must comply with applicable laws and rules. The Board of Pharmacy is authorized to adopt rules implementing this law. Electronic systems must be approved by the Board of Pharmacy, except currently used FAX equipment. The board shall maintain a list of approved systems.

Electronically communicated prescription information must allow the opportunity for health prescribers to indicate their preferences for substituting therapeutically equivalent generic drugs authorized by law; protect the confidentiality of patient prescription information from unauthorized disclosure; and assure accuracy and authenticity of prescriptions.

**EFFECT OF SENATE AMENDMENT(S):** Naturopaths are included in the definition of practitioners who can prescribe legend drugs.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The practice of pharmacy must keep up with new technological imperatives. The use of computers and FAX machines provide expedited services to clients.

**Testimony Against:** None.

**Testified:** Gordon Walgren, Washington Pharmaceutical Association (pro); and Don Williams, Department of Health.