

# HOUSE BILL REPORT

## SHB 1469

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### As Passed House:

January 28, 2002

**Title:** An act relating to controlled substance orders and prescriptions.

**Brief Description:** Dispensing controlled substance orders and prescriptions.

**Sponsors:** By House Committee on Health Care (originally sponsored by Representatives Campbell and Cody).

### Brief History:

#### Committee Activity:

Health Care: 2/9/01, 2/20/01 [DPS].

#### Floor Activity:

Passed House: 3/9/01, 98-0; 1/28/02, 96-0.

### Brief Summary of Substitute Bill

- A Schedule II controlled substance may be dispensed to a patient in a long-term care facility or in hospice care with a facsimile copy of a prescription sent by the prescribing practitioner.
- The requirement that controlled substances may be distributed only pursuant to order forms is repealed to conform to federal law permitting transmission of prescriptions by electronic means.

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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 13 members: Representatives Campbell, Republican Co-Chair; Cody, Democratic Co-Chair; Schual-Berke, Democratic Vice Chair; Alexander, Ballasiotes, Conway, Darneille, Edmonds, Edwards, Marine, McMorris, Pennington and Ruderman.

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

### Background:

A Schedule II controlled substance is considered by law as a drug with currently accepted medical use, and with a high potential for abuse which may lead to severe psychological

or physical dependence. It may not be dispensed to a patient without a written prescription.

Current federal law requires pharmacies to order Schedule II substances from manufacturers and wholesalers on triplicate order forms. However, federal law is changing to allow orders through electronic means.

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**Summary of Substitute Bill:**

If permissible by federal law, a Schedule II controlled substance, including injectable substances, may be dispensed by a pharmacy with a facsimile copy of a prescription transmitted by a practitioner for a patient in a long-term care facility or hospice agency or hospice care center. The practitioner shall note on the prescription that the patient is a long-term care or hospice patient, and shall retain a copy of the original prescription.

The requirement that controlled substances be distributed only pursuant to order forms is repealed to conform with federal law.

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**Appropriation:** None.

**Fiscal Note:** Not Requested.

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

**Testimony For:** State law needs to be clarified to reflect changes in federal law that allow prescriptions to be delivered through electronic means.

**Testimony Against:** None

**Testified:** Rod Shafer, Washington State Pharmaceutical Association; and Mark Rake-Maroney, Washington State Hospital Association.