

SENATE BILL REPORT

SHB 2512

As Reported by Senate Committee On:
Health & Long-Term Care, February 23, 2012

Title: An act relating to including pharmacists in the legend drug act.

Brief Description: Including pharmacists in the legend drug act.

Sponsors: House Committee on Health Care & Wellness (originally sponsored by Representatives Harris, Kelley, Rivers, Appleton, Dahlquist, Cody and Buys).

Brief History: Passed House: 2/09/12, 97-0.

Committee Activity: Health & Long-Term Care: 2/15/12, 2/23/12 [DPA].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass as amended.

Signed by Senators Keiser, Chair; Conway, Vice Chair; Becker, Ranking Minority Member; Carrell, Frockt, Kline, Parlette, Pflug and Pridemore.

Staff: Veronica Warnock (786-7490)

Background: Pursuant to the Legend Drug Act, it is unlawful to possess, deliver, or dispense a legend drug except in accordance with a prescription issued by specified health care professionals. The health care professionals who have authority to prescribe legend drugs are enumerated in RCW 69.41.030. The extent of the authority to prescribe legend drugs is set forth in the laws or rules governing each health profession.

Currently, pursuant to chapter 18.64 RCW and WAC 246-863-100, licensed pharmacists have authority to prescribe legend drugs in accordance with a collaborative drug therapy agreement but are not included in the Legend Drug Act.

Collaborative drug therapy agreements are a set of written protocols that are established by a health care practitioner with dispensing authority – such as a physician, osteopathic physician, optometrist, dentist, podiatric physician, veterinarian, or certain nurses – in which prescription authority is delegated to a pharmacist. These agreements must be approved by the Board of Pharmacy.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill (Recommended Amendments): Pharmacists licensed in Washington State are added to the Legend Drug Act.

EFFECT OF CHANGES MADE BY HEALTH & LONG-TERM CARE COMMITTEE (Recommended Amendments): Reference to collaborative drug therapy agreements is removed.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony as Heard in Committee: PRO: Pharmacists have been dispensing legend drugs under a collaborative agreement since 1979 in this state. Since then, over 45 states have followed Washington's example and passed laws permitting pharmacists to dispense legend drugs under a collaborative agreement. This bill simply changes the Legend Drug Act to recognize the dependent prescriptive authority pharmacists already have. The extent of pharmacist's dispensing authority is provided in the pharmacist licensing statute. Including pharmacists in the Legend Drug Act does not change pharmacist's dispensing authority and so it is unnecessary to include language in the bill outlining the extent of this authority.

Persons Testifying: PRO: Jennifer Arnold, WA State Pharmacy Assn.