

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5459

Chapter 262, Laws of 2013

63rd Legislature
2013 Regular Session

PHARMACISTS--SUPPLY LIMITS--CONTROLLED SUBSTANCES

EFFECTIVE DATE: 07/28/13

Passed by the Senate April 23, 2013
YEAS 48 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 9, 2013
YEAS 90 NAYS 3

FRANK CHOPP

Speaker of the House of Representatives

Approved May 16, 2013, 1:51 p.m.

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5459** as passed by the Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

Secretary

FILED

May 17, 2013

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5459

AS AMENDED BY THE HOUSE

Passed Legislature - 2013 Regular Session

State of Washington 63rd Legislature 2013 Regular Session

By Senate Health Care (originally sponsored by Senators Becker, Keiser, Parlette, Dammeier, and Kline)

READ FIRST TIME 02/20/13.

1 AN ACT Relating to requiring ninety-day supply limits on certain
2 drugs dispensed by a pharmacist; and adding a new section to chapter
3 18.64 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.64 RCW
6 to read as follows:

7 (1) A pharmacist may dispense not more than a ninety-day supply of
8 a drug other than a controlled substance pursuant to a valid
9 prescription that specifies an initial quantity of less than a
10 ninety-day supply followed by periodic refills of that amount if all of
11 the following requirements are satisfied:

12 (a) The patient has completed an initial thirty-day supply of the
13 drug. However, if the prescription continues the same medication as
14 previously dispensed in a ninety-day supply, the initial thirty-day
15 supply under this subsection (1) is not required;

16 (b) The total quantity of dosage units dispensed does not exceed
17 the total quantity of dosage units authorized by the prescriber on the
18 prescription including refills;

1 (c) The prescriber has not specified on the prescription that
2 dispensing the prescription in an initial amount followed by periodic
3 refills is medically necessary; and

4 (d) The pharmacist is exercising his or her professional judgment.

5 (2) In no case may a pharmacist dispense a greater supply of a drug
6 pursuant to this section if the prescriber personally indicates, either
7 orally or in their own handwriting, "no change to quantity," or words
8 of similar meaning. Nothing in this section prohibits a prescriber
9 from checking a box on a prescription marked "no change to quantity,"
10 provided that the prescriber personally initials the box or checkmark.

11 (3) A pharmacist dispensing an increased supply of a drug pursuant
12 to this section shall notify the prescriber of the increase in the
13 quantity of dosage units dispensed.

14 (4) Nothing in this section may be construed to require a health
15 benefit plan, health carrier, workers' compensation insurance plan,
16 pharmacy benefit manager, or any other person or entity including, but
17 not limited to, a state program or state employer, to provide coverage
18 in a manner inconsistent with the beneficiary's or enrollee's plan
19 benefit.

Passed by the Senate April 23, 2013.

Passed by the House April 9, 2013.

Approved by the Governor May 16, 2013.

Filed in Office of Secretary of State May 17, 2013.