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ENGROSSED SUBSTITUTE SENATE BILL 5460

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State of Washington

64th Legislature

2015 Regular Session

By Senate Health Care (originally sponsored by Senators Parlette, Cleveland, Rivers, Keiser, Angel, Chase, and Bailey)

READ FIRST TIME 02/10/15.

1 AN ACT Relating to pharmacy services in hospital emergency rooms  
2 and hospital clinics; adding a new section to chapter 70.41 RCW; and  
3 declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.41  
6 RCW to read as follows:

7 (1) The legislature finds that high quality, safe, and  
8 compassionate health care services for patients of Washington state  
9 must be available at all times. The legislature further finds that  
10 there is a need for patients being released from hospital emergency  
11 departments to maintain access to emergency medications when  
12 community or hospital pharmacy services are not available. It is the  
13 intent of the legislature to accomplish this objective by allowing  
14 practitioners with prescriptive authority to prescribe limited  
15 amounts of prepackaged emergency medications to patients being  
16 discharged from hospital emergency departments when access to  
17 community or outpatient hospital pharmacy services is not otherwise  
18 available.

19 (2) A hospital may allow a practitioner to prescribe prepackaged  
20 emergency medications and allow a practitioner or a registered nurse  
21 licensed under chapter 18.79 RCW to distribute prepackaged emergency

1 medications to patients being discharged from a hospital emergency  
2 department during times when community or outpatient hospital  
3 pharmacy services are not available within fifteen miles by road. A  
4 hospital may only allow this practice if: The director of the  
5 hospital pharmacy, in collaboration with appropriate hospital medical  
6 staff, develops policies and procedures regarding the following:

7 (a) Development of a list, preapproved by the pharmacy director,  
8 of the types of emergency medications to be prepackaged and  
9 distributed;

10 (b) Assurances that emergency medications to be prepackaged  
11 pursuant to this section are prepared by a pharmacist or under the  
12 supervision of a pharmacist licensed under chapter 18.64 RCW;

13 (c) Development of specific criteria under which emergency  
14 prepackaged medications may be prescribed and distributed consistent  
15 with the limitations of this section;

16 (d) Assurances that any practitioner authorized to prescribe  
17 prepackaged emergency medication or any nurse authorized to  
18 distribute prepackaged emergency medication is trained on the types  
19 of medications available and the circumstances under which they may  
20 be distributed;

21 (e) Procedures to require practitioners intending to prescribe  
22 prepackaged emergency medications pursuant to this section to  
23 maintain a valid prescription either in writing or electronically in  
24 the patient's records prior to a medication being distributed to a  
25 patient;

26 (f) Establishment of a limit of no more than a forty-eight hour  
27 supply of emergency medication as the maximum to be dispensed to a  
28 patient, except when community or hospital pharmacy services will not  
29 be available within forty-eight hours. In no case may the policy  
30 allow a supply exceeding ninety-six hours be dispensed;

31 (g) Assurances that prepackaged emergency medications will be  
32 kept in a secure location in or near the emergency department in such  
33 a manner as to preclude the necessity for entry into the pharmacy;  
34 and

35 (h) Assurances that nurses or practitioners will distribute  
36 prepackaged emergency medications to patients only after a  
37 practitioner has counseled the patient on the medication.

38 (3) The delivery of a single dose of medication for immediate  
39 administration to the patient is not subject to the requirements of  
40 this section.

1 (4) For purposes of this section:

2 (a) "Emergency medication" means any medication commonly  
3 prescribed to emergency room patients, including those drugs,  
4 substances or immediate precursors listed in schedules II through V  
5 of the uniform controlled substances act, chapter 69.50 RCW, as now  
6 or hereafter amended.

7 (b) "Distribute" means the delivery of a drug or device other  
8 than by administering or dispensing.

9 (c) "Practitioner" means any person duly authorized by law or  
10 rule in the state of Washington to prescribe drugs as defined in RCW  
11 18.64.011(24).

12 (d) "Nurse" means a registered nurse as defined in RCW 18.79.020.

13 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
14 preservation of the public peace, health, or safety, or support of  
15 the state government and its existing public institutions, and takes  
16 effect immediately.

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