

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6558

64th Legislature
2016 Regular Session

Passed by the Senate March 7, 2016
Yeas 47 Nays 0

President of the Senate

Passed by the House March 4, 2016
Yeas 97 Nays 0

Speaker of the House of Representatives

Approved

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 6558** as passed by Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6558

AS AMENDED BY THE HOUSE

Passed Legislature - 2016 Regular Session

State of Washington 64th Legislature 2016 Regular Session

By Senate Health Care (originally sponsored by Senators Parlette and Cleveland)

READ FIRST TIME 02/05/16.

1 AN ACT Relating to allowing a hospital pharmacy license to
2 include individual practitioner offices and multipracticitioner clinics
3 owned and operated by a hospital and ensuring such offices and
4 clinics are inspected according to the level of service provided;
5 amending RCW 18.64.043; and adding a new section to chapter 18.64
6 RCW.

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

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

10 The intent of this legislation is to make clear the legislature's
11 directive to the commission to allow hospital pharmacy licenses to
12 include individual practitioner offices and multipracticitioner clinics
13 owned, operated, or under common control with a hospital and that
14 such offices and clinics are regulated, inspected, and investigated
15 according to the level of service provided. While legislation
16 providing for such a system was enacted in 2015, it has yet to be
17 implemented. The legislature wishes to specify a clear timeline for
18 implementation.

19 **Sec. 2.** RCW 18.64.043 and 2015 c 234 s 4 are each amended to
20 read as follows:

1 (1) The owner of each pharmacy shall pay an original license fee
2 to be determined by the secretary, and annually thereafter, on or
3 before a date to be determined by the secretary, a fee to be
4 determined by the secretary, for which he or she shall receive a
5 license of location, which shall entitle the owner to operate such
6 pharmacy at the location specified, or such other temporary location
7 as the secretary may approve, for the period ending on a date to be
8 determined by the secretary as provided in RCW 43.70.250 and
9 43.70.280, and each such owner shall at the time of filing proof of
10 payment of such fee as provided in RCW 18.64.045 as now or hereafter
11 amended, file with the ~~((department))~~ commission on a blank therefor
12 provided, a declaration of ownership and location, which declaration
13 of ownership and location so filed as aforesaid shall be deemed
14 presumptive evidence of ownership of the pharmacy mentioned therein.

15 (2)(a) For a hospital licensed under chapter 70.41 RCW, the
16 license of location provided under this section may include any
17 individual practitioner's office or multipractitioner clinic owned
18 ~~((and)),~~ operated ((by)), or under common control with a hospital,
19 and identified by the hospital on the pharmacy application or
20 renewal. ~~((A hospital that elects to include one or more offices or
21 clinics under this subsection on its pharmacy application must
22 maintain the office or clinic under its pharmacy license through at
23 least one pharmacy inspection or twenty four months. However, the
24 department may, in its discretion, allow a change in licensure at an
25 earlier time.))~~ The definition of "hospital" under RCW 70.41.020 to
26 exclude "clinics, or physician's offices where patients are not
27 regularly kept as bed patients for twenty-four hours or more," does
28 not limit the ability of a hospital to include individual
29 practitioner's offices or multipractitioner clinics owned, operated,
30 or under common control with a hospital on the pharmacy application
31 or renewal or otherwise prevent the implementation of this act. A
32 hospital that elects to include one or more offices or clinics under
33 this subsection on its hospital pharmacy application shall describe
34 the type of services relevant to the practice of pharmacy provided at
35 each such office or clinic as requested by the commission. Any
36 updates to the application, renewal, or related forms that are
37 necessary to accomplish the provision of this licensure option must
38 be made no later than ninety days after the effective date of this
39 section. Nothing in this section limits the ability of a hospital to
40 transfer drugs to another location consistent with federal laws and

1 RCW 70.41.490, regardless of whether or not an election has been made
2 with respect to adding the receiving location to the hospital's
3 pharmacy license under this section.

4 (b) This chapter must be interpreted in a manner that supports
5 regulatory, inspection, and investigation standards that are
6 reasonable and appropriate based on the level of risk and the type of
7 services provided in a pharmacy, including pharmacy services provided
8 in a hospital and pharmacy services provided in an individual
9 practitioner office or multipractitioner clinic owned, operated, or
10 under common control with a hospital regardless of the office or
11 clinic's physical address. The commission shall provide clear and
12 specific information regarding the standards to which particular
13 pharmacy services will be held, as appropriate, based on the type of
14 pharmacy service provided at a particular location.

15 (c) The secretary may adopt rules to establish an additional
16 reasonable fee for any such office or clinic.

17 ((+2)) (3) It shall be the duty of the owner to immediately
18 notify the ((department)) commission of any change of location
19 ((+)), ownership, or licensure and to keep the license of location
20 or the renewal thereof properly exhibited in said pharmacy.

21 ((+3)) (4) Failure to comply with this section shall be deemed a
22 misdemeanor, and each day that said failure continues shall be deemed
23 a separate offense.

24 ((+4)) (5) In the event such license fee remains unpaid on the
25 date due, no renewal or new license shall be issued except upon
26 compliance with administrative procedures, administrative
27 requirements, and fees determined as provided in RCW 43.70.250 and
28 43.70.280.

29 (6) If the commission determines that rules are necessary for the
30 immediate implementation of the inspection standards described in
31 this section, it must adopt rules under the emergency rule-making
32 process in RCW 34.05.350, with such emergency rules effective not
33 later than ninety days after the effective date of this section. The
34 commission shall then begin the process to adopt any necessary
35 permanent rules in accordance with chapter 34.05 RCW. The commission
36 shall ensure that during the transition to the permanent rules
37 adopted under this section, an emergency rule remains in effect
38 without a break between the original emergency rule and any
39 subsequent emergency rules that may be necessary. The commission
40 shall ensure that during the transition to permanent rules there is

1 no interruption in provision of the licensure option described under
2 this section.

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