
SENATE BILL 6558

State of Washington

64th Legislature

2016 Regular Session

By Senators Parlette and Cleveland

Read first time 01/26/16. Referred to Committee on Health Care.

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; adding a new section to chapter 18.64 RCW;
6 and declaring an emergency.

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 and department to allow hospital pharmacy
12 licenses to include individual practitioner offices and
13 multipracticitioner clinics owned and operated by 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. This delay has resulted in confusion about how hospitals
18 are to ensure pharmacies are appropriately licensed and available to
19 serve patients and the community. The legislature wishes to make its
20 direction clear to the parties involved, including the commission,

1 the department of health, and hospitals, and to underscore the
2 urgency of the changes directed by this legislation.

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

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

19 (2)(a) For a hospital licensed under chapter 70.41 RCW, the
20 license of location provided under this section may include any
21 individual practitioner's office or multipractitioner clinic owned
22 and operated by a hospital, and identified by the hospital on the
23 pharmacy application or renewal. ~~((A hospital that elects to include
24 one or more offices or clinics under this subsection on its pharmacy
25 application must maintain the office or clinic under its pharmacy
26 license through at least one pharmacy inspection or twenty-four
27 months. However, the department may, in its discretion, allow a
28 change in licensure at an earlier time.))~~ The definition of
29 "hospital" under RCW 70.41.020 to exclude "clinics, or physician's
30 offices where patients are not regularly kept as bed patients for
31 twenty-four hours or more," does not limit the ability of a hospital
32 to include individual practitioner's offices or multipractitioner
33 clinics owned and operated by a hospital on the pharmacy application
34 or renewal or otherwise prevent the implementation of this act. A
35 hospital that elects to include one or more offices or clinics under
36 this subsection on its hospital pharmacy application shall describe
37 the type of services relevant to the practice of pharmacy provided at
38 each such office or clinic as requested by the department. Any
39 updates to the application, renewal, or related forms that are

1 necessary to accomplish the provision of this licensure option must
2 be made no later than thirty days after the effective date of this
3 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 and operated by
10 a hospital regardless of the office or clinic's physical address. The
11 department and commission shall provide clear and specific
12 information regarding the standards to which particular pharmacy
13 services will be held, as appropriate, based on the type of pharmacy
14 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 of any change of location ~~((or))~~, ownership, or
19 licensure and to keep the license of location or the renewal thereof
20 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 department 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 expedited rule-making
32 process in RCW 34.05.353, with such emergency rules effective not
33 later than thirty days after the effective date of this section. The
34 department shall then begin the process to adopt any necessary
35 permanent rules in accordance with chapter 34.05 RCW. The department
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 department
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.

3 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
4 preservation of the public peace, health, or safety, or support of
5 the state government and its existing public institutions, and takes
6 effect immediately.

--- END ---