

RCW 69.70.050 Acceptance and dispensing of prescription drugs or supplies—Requirements—Recalls—Reselling—Reimbursement, related dispensing fees—Manufacturer registration. (1) Prescription drugs or supplies may be accepted and dispensed under this chapter if all of the following conditions are met:

- (a) The prescription drug is in:
 - (i) Its original sealed and tamper evident packaging; or
 - (ii) An opened package if it contains single unit doses that remain intact;
- (b) The prescription drug bears an expiration date that is more than six months after the date the prescription drug was donated;
- (c) The prescription drug or supplies are inspected before the prescription drug or supplies are dispensed by a pharmacist employed by or under contract with the pharmacy, and the pharmacist determines that the prescription drug or supplies are not adulterated or misbranded;
- (d) The prescription drug or supplies are prescribed by a practitioner for use by an eligible individual and are dispensed by a pharmacist; and
- (e) Any other safety precautions established by the department have been satisfied.

(2) (a) If a person who donates prescription drugs or supplies to a pharmacy under this chapter receives a notice that the donated prescription drugs or supplies have been recalled, the person shall notify the pharmacy of the recall.

(b) If a pharmacy that receives and distributes donated prescription drugs to another pharmacy, pharmacist, or prescribing practitioner under this chapter receives notice that the donated prescription drugs or supplies have been recalled, the pharmacy shall notify the other pharmacy, pharmacist, or prescribing practitioner of the recall.

(c) If a person collecting or distributing donated prescription drugs or supplies under this chapter receives a recall notice from the drug manufacturer or the federal food and drug administration for donated prescription drugs or supplies, the person shall immediately remove all recalled medications from stock and comply with the instructions in the recall notice.

(3) Prescription drugs and supplies donated under this chapter may not be resold.

(4) Prescription drugs and supplies dispensed under this chapter shall not be eligible for reimbursement of the prescription drug or any related dispensing fees by any public or private health care payer.

(5) A prescription drug that can only be dispensed to a patient registered with the manufacturer of that drug, in accordance with the requirements established by the federal food and drug administration, may not be distributed under the program, unless the patient receiving the prescription drug is registered with the manufacturer at the time the drug is dispensed and the amount dispensed does not exceed the duration of the registration period. [2016 c 43 § 4; 2013 c 260 § 5.]

Effective date—Short title—2016 c 43: See notes following RCW 69.70.010.