

## WSR 21-18-102

## PERMANENT RULES

## DEPARTMENT OF HEALTH

[Filed August 31, 2021, 11:32 a.m., effective December 1, 2021]

Effective Date of Rule: December 1, 2021.

Purpose: WAC 246-945-990 Pharmaceutical licensing fees and renewal cycle, 246-945-991 Hospital pharmacy associated clinics fees and renewal cycle, and 246-945-992 Fee payment. The department of health (department), in consultation with the pharmacy quality assurance commission (commission), has adopted changes and recodified three sections of rule to move fees for all license types collected by the commission into the recently created chapter 246-945 WAC. The adopted rules also change professional licenses to a two-year renewal cycle and adds a new fee for the registration of a remote dispensing site created by the passage of SSB 6086.

Citation of Rules Affected by this Order: New WAC 246-945-990, 246-945-991 and 246-945-992; and repealing WAC 246-907-030, 246-907-0302, and 246-907-040.

Statutory Authority for Adoption: RCW 43.70.110, 43.70.250; and SSB 6086 (chapter 244, Laws of 2020).

Adopted under notice filed as WSR 21-12-074 on May 28, 2021.

Changes Other than Editing from Proposed to Adopted Version: The following technical, nonsubstantive changes were made to the proposed rules upon adoption:

WAC 246-945-990 (5)(b) removed fees listed under "with differential hours." The pharmacy license with differential hours no longer exists, so that was removed for accuracy.

WAC 246-945-992(1) had a typo. "A licensed pharmacist" should have read "A licensed pharmacy." That typo has been corrected in the adopted version of the rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 1, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 2, Amended 0, Repealed 3.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 3, Amended 0, Repealed 3.

Date Adopted: August 31, 2021.

Kristin Peterson, JD  
Deputy Secretary  
for Policy and Planning  
for Umair A. Shah, MD, MPH  
Secretary

OTS-2987.5

AMENDATORY SECTION (Amending WSR 18-21-123, filed 10/18/18, effective 1/1/19)

**WAC 246-907-030 Pharmaceutical licensing fees and renewal cycle.**

(1) Pharmacist, pharmacy technician, pharmacy intern, and pharmacy assistant credentials must be renewed every two years on the practitioner's birthday as provided in chapter 246-12 WAC(~~(7-Part-2)~~).

(2) Pharmacy location credentials, controlled substance researcher registration, drug dog handler K9 registration, and other Controlled Substances Act registrations will expire on June 1st of each year.

(3) All other credentials, including health care entity, will expire on October 1st of each year, except the shopkeeper endorsement which expires annually associated with a business license issued by the department of revenue.

(4) The following nonrefundable fees will be charged for pharmacy professionals:

(a) All pharmacy professionals:

Title of fee	Fee
Verification of credential	\$25.00
Duplicate credential	10.00

(b) Pharmacist:

<del>((Original))</del> <u>Initial</u> credential	<del>((200.00))</del> <u>\$400.00</u>
Renewal	<del>((265.00))</del> <u>530.00</u>
Late renewal penalty	<del>((135.00))</del> <u>265.00</u>
Expired credential reissuance	265.00
Inactive credential renewal	265.00
Retired <u>active</u> credential <u>status</u> application	<del>((25.00))</del> <u>50.00</u>
Retired <u>active</u> credential <u>status</u> renewal	<del>((25.00))</del> <u>50.00</u>
Temporary <u>practice</u> permit	100.00
Reciprocity ( <u>license by license transfer</u> )	465.00

(c) Pharmacy technician:

<del>((Original))</del> <u>Initial</u> credential	<del>((70.00))</del> <u>\$140.00</u>
Renewal	<del>((70.00))</del> <u>140.00</u>
Late renewal penalty	<del>((50.00))</del> <u>70.00</u>
Expired credential reissuance	70.00

(d) Pharmacy intern:

<del>((Original))</del> <u>Initial</u> credential	<del>((45.00))</del> <u>\$90.00</u>
Renewal	<del>((45.00))</del> <u>90.00</u>
Late renewal penalty	<del>((45.00))</del> <u>50.00</u>
Verification of internship hours	25.00
Expired credential reissuance	45.00

(e) Pharmacy assistant:

<del>((Original))</del> <u>Initial</u> credential	<del>((35.00))</del> \$70.00
Renewal	<del>((35.00))</del> 70.00
Late renewal penalty	<del>((35.00))</del> 50.00
Expired credential reissuance	35.00

(5) The following nonrefundable fees will be charged for pharmaceutical firms:

(a) All pharmaceutical firms:

Verification of credential	\$25.00
Duplicate credential	10.00
Facility inspection	400.00

(b) Pharmacy (includes hospital pharmacies):

**Pharmacy credential** (for hospital pharmacy associated clinics, see WAC ~~((246-907-0302))~~ 246-945-991)

<del>((Original))</del> <u>Initial</u> credential	\$540.00
Renewal	540.00
Late renewal penalty	270.00

**Pharmacy technician utilization**

<del>((Original))</del> <u>Initial</u> utilization	100.00
Renewal	100.00

**Controlled substances authority**

<del>((Original))</del> <u>Initial</u> credential	150.00
Renewal	150.00

~~**(With differential hours**~~

<del>Original</del> credential	<del>55.00</del>
<del>Renewal</del>	<del>55.00))</del>

(c) Nonresident pharmacy:

**Pharmacy credential**

<del>((Original))</del> <u>Initial</u> credential	\$540.00
Renewal	540.00
Late renewal penalty	270.00

**Controlled substances authority**

<del>((Original))</del> <u>Initial</u> credential	150.00
Renewal	150.00

(d) Controlled substance researcher:

<del>((Original))</del> <u>Initial</u> credential	\$400.00
Renewal	400.00

(e) Other controlled substances act registrations (i.e., analytical laboratories, school laboratories):

<del>((Original))</del> <u>Initial</u> credential	\$360.00
Renewal	360.00

(f) Drug dog handler K9 registration:

<del>((Original))</del> <u>Initial</u> credential	\$55.00
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	Renewal	55.00
(g) Health care entity:		
	<b>Health care entity credential</b>	
	((Original)) <u>Initial</u> credential	\$540.00
	Renewal	540.00
	Late renewal penalty	270.00
	<b>Controlled substances authority</b>	
	((Original)) <u>Initial</u> credential	150.00
	Renewal	150.00
(h) Drug manufacturer:		
	<b>Manufacturer credential</b>	
	((Original)) <u>Initial</u> credential	\$825.00
	Renewal	825.00
	Late renewal penalty	300.00
	<b>Controlled substances authority</b>	
	((Original)) <u>Initial</u> credential	150.00
	Renewal	150.00
(i) Drug wholesaler - Full line:		
	<b>Wholesaler credential</b>	
	((Original)) <u>Initial</u> credential	\$825.00
	Renewal	825.00
	Late renewal penalty	300.00
	<b>Controlled substances authority</b>	
	((Original)) <u>Initial</u> credential	150.00
	Renewal	150.00
(j) Drug wholesaler - Export:		
	<b>Wholesaler credential</b>	
	((Original)) <u>Initial</u> credential	\$825.00
	Renewal	825.00
	Late renewal penalty	300.00
(k) Drug wholesaler - OTC only:		
	((Original)) <u>Initial</u> credential	\$465.00
	Renewal	465.00
	Late renewal penalty	235.00
(l) Drug wholesaler - Export nonprofit humanitarian organization:		
	<b>Wholesaler credential</b>	
	((Original)) <u>Initial</u> credential	\$25.00
	Renewal	25.00
	Late renewal penalty	25.00
(m) Legend drug sample distributor:		
	<b>Distributor credential</b>	
	((Original)) <u>Initial</u> credential	\$540.00
	Renewal	540.00
	Late renewal penalty	270.00

**Controlled substances authority**

	(( <del>Original</del> ) <u>Initial</u> credential	150.00
	Renewal	150.00
(n) Poison manufacturer/seller:		
	(( <del>Original</del> ) <u>Initial</u> credential	\$55.00
	Renewal	55.00
	Late renewal penalty	50.00
(o) Precursor chemicals:		
	(( <del>Original</del> ) <u>Initial</u> credential	\$55.00
	Renewal	55.00
	Late renewal penalty	50.00
(p) Itinerant vendor:		
	(( <del>Original</del> ) <u>Initial</u> credential	\$55.00
	Renewal	55.00
	Late renewal penalty	50.00
(q) Sodium pentobarbital for animal euthanization:		
	(( <del>Original</del> ) <u>Initial</u> credential	\$55.00
	Renewal	55.00
	Late renewal penalty	50.00
(r) Shopkeeper:		
	(( <del>Original</del> ) <u>Initial</u> credential	\$55.00
	Renewal	55.00
<u>(s) Remote dispensing site for opioid use disorder medications registration:</u>		
	<u>Initial credential</u>	<u>\$55.00</u>
	<u>Renewal</u>	<u>55.00</u>
	<u>Late renewal penalty</u>	<u>50.00</u>

[Statutory Authority: RCW 43.70.250, 43.70.280 and chapters 18.64 and 18.64A RCW. WSR 18-21-123, § 246-907-030, filed 10/18/18, effective 1/1/19. Statutory Authority: RCW 69.50.302, 43.70.250. WSR 16-18-087, § 246-907-030, filed 9/6/16, effective 10/7/16. Statutory Authority: RCW 43.70.110, 43.70.250, and 2011 1st sp.s. c 50. WSR 11-20-092, § 246-907-030, filed 10/4/11, effective 12/1/11. Statutory Authority: RCW 43.70.110, 43.70.250, 2008 c 329. WSR 08-15-014, § 246-907-030, filed 7/7/08, effective 7/7/08. Statutory Authority: RCW 43.70.250, [43.70.]280 and 43.70.110. WSR 05-12-012, § 246-907-030, filed 5/20/05, effective 7/1/05. Statutory Authority: RCW 43.70.250, 2001 2nd sp.s. c 7 and RCW 18.64.310, 18.64A.010. WSR 01-23-101, § 246-907-030, filed 11/21/01, effective 1/21/02. Statutory Authority: RCW 43.70.040, 42.70.250, and 18.64.310. WSR 01-12-052, § 246-907-030, filed 6/1/01, effective 7/2/01. Statutory Authority: RCW 43.70.250. WSR 98-10-052, § 246-907-030, filed 4/29/98, effective 5/30/98. Statutory Authority: RCW 43.70.280. WSR 98-05-060, § 246-907-030, filed 2/13/98, effective 3/16/98. Statutory Authority: RCW 43.70.040. WSR 97-06-019, § 246-907-030, filed 2/25/97, effective 3/28/97. Statutory Authority: RCW 18.64.005. WSR 94-05-036, § 246-907-030, filed 2/8/94, effective 3/11/94; WSR 93-18-015, § 246-907-030, filed 8/24/93, effec-

tive 9/24/93; WSR 93-05-045 (Order 334), § 246-907-030, filed 2/17/93, effective 3/20/93. Statutory Authority: RCW 43.70.250. WSR 92-07-099 (Order 256), § 246-907-030, filed 3/18/92, effective 4/18/92. Statutory Authority: RCW 43.70.040. WSR 91-19-028 (Order 194), recodified as § 246-907-030, filed 9/10/91, effective 10/11/91. Statutory Authority: RCW 43.70.250. WSR 91-13-002 (Order 173), § 360-18-020, filed 6/6/91, effective 7/7/91. Statutory Authority: RCW 18.64.005. WSR 89-04-015 (Order 222), § 360-18-020, filed 1/23/89; WSR 88-14-042 (Order 216), § 360-18-020, filed 6/30/88; WSR 88-07-011 (Order 209), § 360-18-020, filed 3/3/88; WSR 87-18-066 (Order 207), § 360-18-020, filed 9/2/87. Statutory Authority: RCW 18.64.005(4). WSR 85-22-033 (Order 196), § 360-18-020, filed 10/31/85; WSR 85-06-010 (Order 193), § 360-18-020, filed 2/22/85. Statutory Authority: RCW 18.64.005. WSR 84-17-142 (Order 189), § 360-18-020, filed 8/22/84; WSR 84-04-030 (Order 184), § 360-18-020, filed 1/25/84; WSR 83-22-034 (Order 177), § 360-18-020, filed 10/26/83. Statutory Authority: RCW 18.64.005 and 18.64A.020. WSR 83-18-021 (Order 175), § 360-18-020, filed 8/30/83. Statutory Authority: RCW 18.64.005(12). WSR 82-12-041 (Order 168), § 360-18-020, filed 5/28/82. Statutory Authority: RCW 18.64.005 (4) and (11). WSR 80-08-035 (Order 155, Resolution No. 6/80), § 360-18-020, filed 6/26/80, effective 9/30/80; WSR 80-05-074 (Order 154, Resolution No. 4/80), § 360-18-020, filed 4/28/80.]

AMENDATORY SECTION (Amending WSR 18-21-123, filed 10/18/18, effective 1/1/19)

**WAC 246-907-0302 Hospital pharmacy associated clinics fees and renewal cycle.** (1) Parent hospital pharmacy licenses with one or more hospital pharmacy associated clinics (HPAC) expire on June 1st of each year.

(2) A parent hospital pharmacy must submit fees for HPACs in addition to fees set in WAC (~~(246-907-030(4))~~) 246-945-990(5). HPAC fees are due annually, except as provided under subsection (3)(d) of this section.

(3) A parent hospital pharmacy must submit the following nonrefundable fees based on category and number of HPACs as defined in WAC (~~(246-873A-020)~~) 246-945-233(3) added to the parent hospital pharmacy license.

(a) **Category 1 HPAC.** A parent hospital pharmacy must submit the Category 1 HPAC fee according to the number of Category 1 HPACs under the parent hospital pharmacy license.

HPAC tier	Number of Category 1 HPACs under parent hospital pharmacy license	Total annual fee
A	1-10	\$895.00
B	11-50	\$2,240.00
C	51-100	\$3,125.00
D	Over 100	\$4,025.00

(b) **Category 2 HPAC.** A parent hospital pharmacy must submit the Category 2 HPAC fee for each Category 2 HPAC under the parent hospital pharmacy license.

Category 2 HPAC fee	\$755.00
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- (c) The department charges a processing fee of fifty-five dollars for an amended license to change the number of HPACs.
- (d) If at any time a parent hospital pharmacy submits an addendum increasing the number of HPACs on the parent hospital pharmacy license, which changes the applicable HPAC tier to a higher fee amount, the parent hospital pharmacy shall submit the difference in fees with the addendum.
- (e) The department will not refund fees when a tier reduction occurs between renewal periods.

[Statutory Authority: RCW 43.70.250, 43.70.280 and chapters 18.64 and 18.64A RCW. WSR 18-21-123, § 246-907-0302, filed 10/18/18, effective 1/1/19. Statutory Authority: RCW 43.70.250 and 2016 c 118. WSR 16-18-069, § 246-907-0302, filed 9/2/16, effective 9/8/16.]

AMENDATORY SECTION (Amending WSR 91-19-028, filed 9/10/91, effective 10/11/91)

**WAC 246-907-040 Fee payment.** (1) A licensed (~~(pharmacist)~~) pharmacy, wholesaler, or manufacturer shall pay a facility inspection fee in lieu of the original license fee when there is only a change of facility location within the premises identified by the license address. Any change of location to a different address shall require a new application and payment of the original license fee.

(2) An original license fee shall be paid whenever there is any change in ownership, including change in business structure or organizational structure such as a change from sole proprietorship to a corporation, or a change of more than fifty percent ownership in a corporation.

(3) All fees for pharmacy professionals are charged on (~~(an annual)~~) a biennial basis and will not be prorated.

(4) All fees for pharmaceutical firms are charged on an annual basis and will not be prorated.

[Statutory Authority: RCW 43.70.040. WSR 91-19-028 (Order 194), recodified as § 246-907-040, filed 9/10/91, effective 10/11/91. Statutory Authority: RCW 18.64.005. WSR 88-07-011 (Order 209), § 360-18-025, filed 3/3/88.]

NEW SECTION

The following sections of the Washington Administrative Code are decodified and recodified as follows:

Old WAC Number	New WAC Number
246-907-030	246-945-990
246-907-0302	246-945-991
246-907-040	246-945-992