

CERTIFICATION OF ENROLLMENT

SENATE BILL 6441

Chapter 109, Laws of 1996

54th Legislature
1996 Regular Session

PRESCRIPTION EXPIRATION DATES FOR NONRESIDENT PHARMACIES

EFFECTIVE DATE: 6/6/96

Passed by the Senate February 7, 1996
YEAS 49 NAYS 0

JOEL PRITCHARD

President of the Senate

Passed by the House February 28, 1996
YEAS 93 NAYS 0

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved March 19, 1996

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6441** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

March 19, 1996 - 2:38 p.m.

MIKE LOWRY

Governor of the State of Washington

**Secretary of State
State of Washington**

SENATE BILL 6441

Passed Legislature - 1996 Regular Session

State of Washington 54th Legislature 1996 Regular Session

By Senators Moyer, Franklin, Schow, Wojahn, Zarelli, Quigley, Wood, Winsley, Fairley, Deccio, Oke and Kohl

Read first time 01/15/96. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to expiration dates on prescriptions dispensed by
2 nonresident pharmacies; and amending RCW 18.64.360.

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

4 **Sec. 1.** RCW 18.64.360 and 1991 c 87 s 2 are each amended to read
5 as follows:

6 (1) For the purposes of this chapter any pharmacy located outside
7 this state that ships, mails, or delivers, in any manner, except when
8 delivered in person to an individual, controlled substances, legend
9 drugs, or devices into this state is a nonresident pharmacy, and shall
10 be licensed by the department of health, and shall disclose to the
11 department the following:

12 (a) The location, names, and titles of all owners including
13 corporate officers and all pharmacists employed by the pharmacy who are
14 dispensing controlled substances, legend drugs, or devices to residents
15 of this state. A report containing this information shall be made on
16 an annual basis and within ninety days after a change of location,
17 corporate officer, or pharmacist;

18 (b) Proof of compliance with all lawful directions and requests for
19 information from the regulatory or licensing agency of the state in

1 which it is licensed as well as with all requests for information made
2 by the department of health under this section. The nonresident
3 pharmacy shall maintain, at all times, a valid unexpired license,
4 permit, or registration to operate the pharmacy in compliance with the
5 laws of the state in which it is located. As a prerequisite to be
6 licensed by the department of health, the nonresident pharmacy shall
7 submit a copy of the most recent inspection report issued by the
8 regulatory licensing agency of the state in which it is located;

9 (c) Proof that it maintains its records of controlled substances,
10 legend drugs, or devices dispensed to patients in this state so that
11 the records are readily retrievable from the records of other drugs
12 dispensed.

13 (2) Any pharmacy subject to this section shall, during its regular
14 hours of operation, provide a toll-free telephone service to facilitate
15 communication between patients in this state and a pharmacist at the
16 pharmacy who has access to the patient's records. This toll-free
17 number shall be disclosed on the label affixed to each container of
18 drugs dispensed to patients in this state.

19 (3) A pharmacy subject to this section shall comply with board
20 rules regarding the maintenance and use of patient medication record
21 systems.

22 (4) A pharmacy subject to this section shall comply with board of
23 pharmacy rules regarding the provision of drug information to the
24 patient. Drug information may be contained in written form setting
25 forth directions for use and any additional information necessary to
26 assure the proper utilization of the medication prescribed. A label
27 bearing the expiration date of the prescription must be affixed to each
28 box, bottle, jar, tube, or other container of a prescription that is
29 dispensed in this state by a pharmacy subject to this section.

30 (5) A pharmacy subject to this section shall not dispense
31 medication in a quantity greater than authorized by the prescriber.

32 (6) The license fee specified by the secretary, in accordance with
33 the provisions of RCW 43.70.250, shall not exceed the fee charged to a
34 pharmacy located in this state.

35 (7) The license requirements of this section apply to nonresident
36 pharmacies that ship, mail, or deliver controlled substances, legend
37 drugs, and devices into this state only under a prescription. The
38 board of pharmacy may grant an exemption from licensing under this

1 section upon application by an out-of-state pharmacy that restricts its
2 dispensing activity in Washington to isolated transactions.

3 (8) Each nonresident pharmacy that ships, mails, or delivers legend
4 drugs or devices into this state shall designate a resident agent in
5 Washington for service of process. The designation of such an agent
6 does not indicate that the nonresident pharmacy is a resident of
7 Washington for tax purposes.

Passed the Senate February 7, 1996.

Passed the House February 28, 1996.

Approved by the Governor March 19, 1996.

Filed in Office of Secretary of State March 19, 1996.