

2SHB 1316 - S COMM AMD

By Committee on Health & Long-Term Care

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that as consumers'  
4 prescription drug costs continue to rise, people across the state of  
5 Washington are seeking opportunities to purchase lower cost  
6 prescription drugs from Canada for their personal use. The state has  
7 a strong interest in promoting the safe use of prescription drugs by  
8 consumers in Washington state. To address this interest, the  
9 legislature intends to seek authorization from the federal government  
10 to license Canadian prescription drug wholesalers, thereby providing  
11 licensed retail pharmacies the opportunity to purchase prescription  
12 drugs from approved Canadian wholesalers and pass those savings on to  
13 consumers, and providing consumers the opportunity to purchase  
14 prescription drugs from a trusted community pharmacist who is aware of  
15 all of their prescription drug needs.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 18.64 RCW  
17 to read as follows:

18 (1) By September 1, 2005, the board shall, in consultation with the  
19 department and the health care authority, submit a waiver request to  
20 the federal food and drug administration that will authorize the state  
21 of Washington to license Canadian prescription drug wholesalers under  
22 RCW 18.64.046, thereby providing retail pharmacies licensed in  
23 Washington state the opportunity to purchase prescription drugs from  
24 approved Canadian wholesalers and pass those savings on to consumers.  
25 The waiver shall provide that:

26 (a) Canadian prescription drug wholesalers meet the requirements of  
27 RCW 18.64.046 and any rules adopted by the board to implement those  
28 requirements;

1 (b) The board must ensure the integrity of the prescription drug  
2 products being distributed by:

3 (i) Requiring that prescription drugs purchased from Canadian  
4 wholesalers originate only from approved manufacturing locations;

5 (ii) Routinely testing prescription drugs purchased from Canadian  
6 wholesalers for safety;

7 (iii) Establishing safe labeling, tracking, and shipping procedures  
8 for prescription drugs purchased from Canadian wholesalers; and

9 (iv) Closely monitoring compliance with RCW 18.64.046 and any rules  
10 adopted to implement the waiver;

11 (c) The prescription drugs purchased from Canadian wholesalers must  
12 be limited to those that are not temperature sensitive or infused and  
13 for which potential savings to consumers can be demonstrated and those  
14 available through purchase by individuals;

15 (d) To ensure that the program benefits those consumers without  
16 insurance coverage for prescription drugs who are most in need of price  
17 relief, prescription drug purchases from pharmacies under the waiver  
18 will be limited to those not eligible for reimbursement by third party  
19 insurance coverage, whether public or private; and

20 (e) Savings associated with purchasing prescription drugs from  
21 Canadian wholesalers will be passed on to consumers.

22 (2) By December 1, 2005, the board, in consultation with the  
23 department and the health care authority, shall submit a detailed  
24 implementation plan to the governor and appropriate committees of the  
25 legislature that details the mechanisms that the board will use to  
26 implement each component of the waiver under subsection (1) of this  
27 section.

28 (3) The board shall adopt rules as necessary to implement this act.

29 NEW SECTION. **Sec. 3.** If any part of this act is found to be in  
30 conflict with federal requirements that are a prescribed condition to  
31 the allocation of federal funds to the state, the conflicting part of  
32 this act is inoperative solely to the extent of the conflict and with  
33 respect to the agencies directly affected, and this finding does not  
34 affect the operation of the remainder of this act in its application to  
35 the agencies concerned. Rules adopted under this act must meet federal  
36 requirements that are a necessary condition to the receipt of federal  
37 funds by the state."

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1           On page 1, line 2 of the title, after "wholesalers;" strike the  
2 remainder of the title and insert "adding a new section to chapter  
3 18.64 RCW; and creating new sections."

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