

# HOUSE BILL REPORT

## ESSB 5470

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### As Reported by House Committee On: Health Care

**Title:** An act relating to importation of prescription drugs from Canadian, United Kingdom, Irish, and other nondomestic wholesalers.

**Brief Description:** Allowing the importation of certain prescription drugs from nondomestic wholesalers.

**Sponsors:** Senate Committee on Health & Long-Term Care (originally sponsored by Senators Franklin, Thibaudeau, Keiser, Kline, Poulsen, Berkey, Haugen, McAuliffe, Rockefeller, Shin and Kohl-Welles; by request of Governor Gregoire).

#### **Brief History:**

##### **Committee Activity:**

Health Care: 3/18/05, 3/22/05 [DP].

#### **Brief Summary of Engrossed Substitute Bill**

- The Board of Pharmacy will submit a waiver request to the federal Food and Drug Administration seeking authorization to license foreign drug wholesalers.

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### HOUSE COMMITTEE ON HEALTH CARE

**Majority Report:** Do pass. Signed by 9 members: Representatives Cody, Chair; Campbell, Vice Chair; Morrell, Vice Chair; Appleton, Clibborn, Green, Lantz, Moeller and Schual-Berke.

**Minority Report:** Do not pass. Signed by 6 members: Representatives Bailey, Ranking Minority Member; Curtis, Assistant Ranking Minority Member; Alexander, Condotta, Hinkle and Skinner.

**Staff:** Dave Knutson (786-7146).

#### **Background:**

The Department of Health (DOH) currently licenses pharmacies located in Washington, and out-of-state pharmacies that provide services to Washington residents. The DOH maintains reciprocal licensing agreements with other state's pharmacy licensing authorities. The DOH does not license pharmacies located in foreign countries.

**Summary of Bill:**

The Board of Pharmacy, in consultation with the DOH and the Health Care Authority, will submit a waiver request to the federal Food and Drug Administration that will authorize the State of Washington to license Canadian, United Kingdom, Irish, and other nondomestic prescription drug wholesalers under RCW 18.64.046. This will provide retail pharmacies licensed in Washington the opportunity to purchase prescription drugs from approved wholesalers and pass those savings on to consumers. By December 1, 2005, the Board of Pharmacy will submit a detailed implementation plan to the Governor and appropriate committees of the Legislature that includes the mechanisms that the board will use to implement each component of the federal waiver.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** (In support) Prescription drugs are too expensive for many Americans. Our citizens should be able to take advantage of lower prescription drug prices in other countries. (With concerns) Some drugs are too sensitive and unstable to ship from one country to another. These classes of drugs should be excluded from any importation scheme.

**Testimony Against:** None.

**Persons Testifying:** (In support) Senator Franklin, prime sponsor; Mike Kriedler, Insurance Commissioner; Christina Hulet, Governor's Office; Duane Thurman, Health Care Authority; Steve Saxes, Department of Health and Board of Pharmacy; Lauren Moughon, American Association of Retired Persons of Washington; Art Zoloth, Northwest Pharmacy Services; and Allen Morrow, Senior Citizen's Lobby.

(With concerns) Steve Gano, Baxter Health Care.

**Persons Signed In To Testify But Not Testifying:** None.