EHB 1538 - S COMM AMD
By Committee on Health Care

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 70.05 RCW to read as follows:

(1) A registered nurse who is licensed under chapter 18.79 RCW, and who is an employee of a local health department or district or a clinic or facility under contract with a local health department or district, may dispense a drug or device for purposes of prevention or treatment of a communicable disease or family planning.

(2) Such dispensing must be pursuant to the order of a person authorized to prescribe a drug or device in the state of Washington.

(3) The local health officer must establish policies and procedures that include the following:

(a) Procedures for drug dispensing, documentation storage, security, and accountability;

(b) Maintenance of all drug records required by federal and state law.

(4) A drug may only be dispensed by a practitioner authorized by law to prescribe the drug or by a registered nurse licensed under chapter 18.79 RCW, and must be dispensed in a container complying with the federal poison prevention packaging act unless the patient requests a noncomplying container. A registered nurse may only dispense a drug or device for purposes of prevention or treatment of a communicable disease or family planning. Each drug that is dispensed must be labeled with the following:

(a) Name of patient;

(b) Name of prescriber;

(c) Name, address, and phone number of the clinic;

(d) Date of dispensing;

(e) Name and strength of the drug. If the drug does not have a brand name, then the generic name of the drug and the drug manufacturer must be stated;

(f) Directions for use;

(g) Initials of the person dispensing;

(h) Cautionary statements, if any, as required by law;

(i) Manufacturer's expiration date, or an earlier date if preferable, after which the patient should not use the drug.

A drug information fact sheet must accompany each drug dispensed from a local health department or district or clinic or facility under contract with a local health department or district.

(5) A drug repackaged for dispensing must be in a container meeting United States pharmacopeia standards and labeled to identify at a minimum:

(a) Brand name, or generic name and manufacturer;

(b) Strength;

(c) Lot number;

(d) Manufacturer's expiration date or an earlier date if preferable. An internal control number that references manufacturer and lot number may be used.

(6) In the absence of a dispensing practitioner or a registered nurse, drugs must be kept in a locked drug cabinet or drug room which is sufficiently secure to deny access to unauthorized persons. Only dispensing practitioners and registered nurses may have access to the drug cabinet or drug room. In their absence, the drug cabinet or drug room must remain locked. All drugs must be stored in areas that will assure proper sanitation, temperature, light, ventilation and moisture control as recommended by the manufacturer. Drugs that are outdated, damaged, deteriorated, misbranded, or adulterated must be quarantined and physically separated from other drugs until they are destroyed or returned to their supplier.

(7) A dispensing record must be maintained separately from the patient chart and kept for a minimum of three years. The record must show, at a minimum, the following:

(a) Name of patient;

(b) Brand name of drug, or generic name and name of manufacturer or distributor;

(c) Amount dispensed;

(d) Date;

(e) Initials of person dispensing the prescription.

All records of receipt and disposal of drugs must be kept for a minimum of three years. All records required by these rules or by federal and state law must be readily retrievable for inspection by the board of pharmacy.

(8) Notwithstanding any other requirements in this section, when a drug is dispensed in the practice of the expedited partner therapy treatment protocol, the name of the patient may be omitted from the label, the patient's name may be omitted from the records and a drug may be dispensed to the patient to be given to the patient's partner even if the partner has not been examined by a licensed health care provider acting within his or her scope of practice.

(9) The pharmacy quality assurance commission may adopt rules necessary to implement this section."

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On page 1, line 2 of the title, after "medications;" strike the remainder of the title and insert "and adding a new section to chapter 70.05 RCW."

EFFECT: Corrects a reference to the pharmacy quality assurance commission.

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