S-3492.1

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**SENATE BILL 5840**

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**State of Washington 67th Legislature 2022 Regular Session**

**By** Senators Keiser, Das, Hasegawa, Robinson, and C. Wilson

AN ACT Relating to language requirements for prescription drug labels; and adding a new section to chapter 18.64 RCW.

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

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

(1) Beginning January 1, 2023, upon the request of a patient, patient's representative, or prescriber, a pharmacy or nonresident pharmacy licensed under this chapter shall provide translated directions for use and the prescription drug's side effects, if the language requested is one of the languages selected by the commission in subsection (2) of this section. The translated version and English language version of the directions for use and side effects must appear on the prescription container or label.

(2) The commission shall determine the languages for which translation is required.

(a) The commission must consider the percent of the population in Washington that speaks the language, that population's access to health care, and principles of equity when determining which languages to provide translations for and must choose 15 languages.

(b) Every five years the commission must reassess and update the languages as needed based upon the factors listed in (a) of this subsection.

(3) The commission shall:

(a) Make translations of directions for use and common side effects available in the languages the commission determines under subsection (2) of this section; and

(b) Develop signage to notify the public of the availability or the translation service that pharmacies must post.

(4) The commission may contract with a state or nonstate entity to complete the translations required under this section.

(5) A pharmacy or nonresident pharmacy is not required to provide translated directions for use and side effects beyond the languages and translations that the commission has made available.

(6) A pharmacy may provide its own translated directions for use and side effects to comply with the requirements of this section. Nothing in this section shall be construed to prohibit a pharmacy from providing translated directions for use or side effects beyond the languages the commission has selected or beyond the directions for use or side effects that the commission has made available in translated form.

(7) The pharmacy or nonresident pharmacy shall be responsible only for the accuracy of the English language directions for use and side effects provided to the patient. A pharmacy, nonresident pharmacy, or pharmacist may not be held liable for relying in good faith on the translated directions for use or side effects provided by the commission or for providing translated directions beyond those the commission has made available if the translation was provided in good faith.

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