AN ACT Relating to exempting a manufacturer of certain dialysate and dialysis devices used by home dialysis patients or a manufacturer's agent from the pharmacy practices act and legend drug act; and amending RCW 18.64.257 and 69.41.032.

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

Sec. 1. RCW 18.64.257 and 2013 c 19 s 20 are each amended to read as follows:

(1) This chapter shall not prevent a medicare-approved dialysis center, a facility operating a medicare-approved home dialysis program, a manufacturer, or a wholesaler, from selling, delivering, possessing, or dispensing directly to its dialysis patients, if prescribed by a practitioner acting within the scope of the practitioner's practice, those dialysis devices and legend drugs, including commercially available dialysate, used by home dialysis patients, in case or full shelf lots, as determined by the commission.

(2) The commission shall adopt rules to implement this section.

Sec. 2. RCW 69.41.032 and 2016 c 148 s 12 are each amended to read as follows:
(1) This chapter shall not prevent a medicare-approved dialysis center, a facility operating a medicare-approved home dialysis program, a manufacturer, or a wholesaler, from selling, delivering, possessing, or dispensing directly to dialysis patients, in case or full shelf lots, if prescribed by a practitioner acting within the scope of the practitioner's practice, those legend drugs, including commercially available dialysate, used by home dialysis patients, in case or full shelf lots, as determined by the commission.

(2) The commission shall adopt rules to implement this section.