

HOUSE BILL REPORT

SB 6178

As Passed House:
February 27, 2024

Title: An act relating to aligning the legend drug act to reflect the prescriptive authority for licensed midwives.

Brief Description: Aligning the legend drug act to reflect the prescriptive authority for licensed midwives.

Sponsors: Senators Randall, Torres, Nobles, Trudeau, Kuderer, Dhingra, Saldaña, Shewmake and Wilson, C..

Brief History:

Committee Activity:

Health Care & Wellness: 2/16/24, 2/20/24 [DP].

Floor Activity:

Passed House: 2/27/24, 95-0.

Brief Summary of Bill

- Adds licensed midwives to the list of practitioners who may prescribe legend drugs.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: Do pass. Signed by 16 members: Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske, Caldier, Davis, Graham, Harris, Macri, Maycumber, Mosbrucker, Orwall, Simmons, Stonier and Tharinger.

Staff: Jim Morishima (786-7191).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

A licensed midwife renders medical aid for a fee to a person during prenatal, intrapartum, and postpartum stages or to a newborn up to two weeks of age.

A midwife may obtain and administer certain drugs, including prophylactic ophthalmic medication, postpartum oxytocic, vitamin K, rho immune globulin, and local anesthetic. A midwife may administer other medications prescribed by a physician. In addition, the Secretary of Health (Secretary) may adopt rules in consultation with the Midwifery Advisory Committee, the Pharmacy Quality Assurance Commission, and the Washington Medical Commission, to allow midwives to purchase and use legend drugs and devices. Legend drugs and devices authorized to be purchased and used by midwives include resuscitation equipment, nitrous oxide, epinephrine, and certain intravenous fluids.

In addition, a midwife may obtain a limited prescriptive license extension. A midwife who has been granted such a license extension may prescribe, obtain, and administer:

- antibiotic, antiemetic, antiviral, antifungal, low-potency topical steroid, and antipruritic medications and therapies;
- other medications and therapies defined in rules adopted by the Secretary for the prevention and treatment of conditions that do not constitute a significant deviation from normal in pregnancy or postpartum; and
- hormonal and nonhormonal family planning methods.

To obtain a limited prescriptive license extension, a midwife must complete additional study and training requirements established in rule by the Secretary in collaboration with the Washington Medical Commission and the Midwifery Advisory Committee. The requirements must provide for the number of additional obstetrical pharmacology training hours consistent with other prescribers and additional training consistent with guidelines commensurate with other professions providing family planning and treating common prenatal and postpartum conditions and any other relevant sources.

A legend drug is a drug that may be dispensed by prescription only or are limited to use by certain practitioners. Practitioners who may prescribe legend drugs include physicians, physician assistants, registered nurses, advanced registered nurse practitioners, optometrists, dentists, and podiatric physicians.

Summary of Bill:

Licensed midwives are added to the definition of "practitioner" for purposes of legend drugs and may prescribe legend drugs to the extent authorized by law.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the

bill is passed.

Staff Summary of Public Testimony:

(In support) Legislation passed two years ago granting prescriptive authority for midwives to be established in rule. During the rulemaking process, it was discovered that this change was necessary. This bill is an important clarification and a straightforward technical fix.

(Opposed) None.

Persons Testifying: Siri Larson Iverson, Midwives Association of Washington State.

Persons Signed In To Testify But Not Testifying: None.