

# SENATE BILL REPORT

## SB 6178

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As Reported by Senate Committee On:  
Health & Long Term Care, January 23, 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 & Long Term Care: 1/19/24, 1/23/24 [DP, w/oRec].

**Brief Summary of Bill**

- Amends the list of providers who may prescribe, obtain, and administer legend drugs to include licensed midwives.

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### SENATE COMMITTEE ON HEALTH & LONG TERM CARE

**Majority Report:** Do pass.

Signed by Senators Cleveland, Chair; Robinson, Vice Chair; Rivers, Ranking Member; Muzzall, Assistant Ranking Member; Conway, Dhingra, Holy, Randall and Van De Wege.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Padden.

**Staff:** Julie Tran (786-7283)

**Background:** 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. The Secretary

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*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.*

of Health is the disciplining authority for licensed midwives.

To be licensed as a midwife, a person must have a high school education, be at least 21 years of age, possess a certificate or diploma from a midwifery program, and pass an examination.

In 2022 the Legislature established a limited prescriptive license extension for licensed midwives. A midwife who has been granted a limited prescriptive license extension may prescribe, obtain, and administer: antibiotic, antiemetic, antiviral, antifungal, low-potency topical steroid, and antipruritic medications and therapies; other medications and therapies for the prevention and treatment of conditions that do not constitute a significant deviation from normal in pregnancy or postpartum; and hormonal and non-hormonal family planning methods.

Legend drugs are any drugs which are required by state law or regulation of the pharmacy quality assurance commission to be dispensed on prescription only or are restricted to use by practitioners only.

**Summary of Bill:** The list of providers who may prescribe, obtain, and administer legend drugs is amended to include licensed midwives, to the extent authorized by the licensed midwives' scope of practice.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: This bill is a technical fix that changes only a few words. Two years ago, the Legislature authorized a limited prescriptive authority for licensed midwives and through the rulemaking processing, it was discovered that a bill would be needed to make an additional change that lists licensed midwives as a prescriber in the statute. This bill will resolve some issues and give clarity to pharmacists who may feel unsure about dispensing certain items when ordered by licensed midwives.

**Persons Testifying:** PRO: Kristin Effland, Midwives' Association of WA State (MAWS).

**Persons Signed In To Testify But Not Testifying:** No one.