

SENATE BILL REPORT

SHB 1186

As Reported by Senate Committee On:
Health & Long-Term Care, March 27, 2025

Title: An act relating to expanding the situations in which medications can be dispensed or delivered from hospitals and health care entities.

Brief Description: Expanding the situations in which medications can be dispensed or delivered from hospitals and health care entities.

Sponsors: House Committee on Health Care & Wellness (originally sponsored by Representatives Parshley, Rule, Low, Reed, Ramel, Macri, Obras, Farivar, Doglio, Fosse, Ormsby, Salahuddin, Bernbaum and Hill).

Brief History: Passed House: 3/4/25, 97-0.

Committee Activity: Health & Long-Term Care: 3/18/25, 3/27/25 [DPA].

Brief Summary of Amended Bill

- Expands the circumstances in which hospitals and health care entities may dispense prepacked drugs.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass as amended.

Signed by Senators Cleveland, Chair; Orwall, Vice Chair; Muzzall, Ranking Member; Bateman, Chapman, Christian, Harris, Holy, Riccelli, Robinson and Slatter.

Staff: Greg Attanasio (786-7410)

Background: Hospitals may dispense prepackaged emergency medications to patients being discharged from a hospital emergency department when:

- community or outpatient hospital pharmacy services are not available within 15 miles by road;

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 patient has no reasonable ability to reach the local community or outpatient pharmacy; or
- a patient is identified as needing human immunodeficiency virus (HIV) postexposure prophylaxis drugs or therapies.

A hospital may only allow this practice after it develops certain policies and procedures, including establishing a quantity dispensing limit of no more than a 48-hour supply of a drug, except when community or hospital pharmacy services will not be available within 48 hours, or when antibiotics or HIV postexposure prophylaxis drugs or therapies are required.

A health care entity may only administer, dispense, or deliver legend drugs and controlled substances to patients who receive care within the health care entity. A health care provider providing care to a patient at the health care entity may only dispense drugs to the patient in an amount not to exceed 72 hours of usage.

"Health care entity" means an organization that provides health care services in a setting not otherwise licensed by the state to acquire or possess legend drugs. Health care entity includes a freestanding outpatient surgery center, a residential treatment facility, and a freestanding cardiac care center. Health care entity does not include an individual practitioner's office or a multipractitioner clinic.

Summary of Amended Bill: Hospitals may dispense prepackaged emergency medications to patients being discharged from a hospital emergency department when community or outpatient hospital pharmacy services are not available within 15 miles within Washington by road.

A hospital may dispense more than a 48-hour supply of a drug under statutorily defined circumstances when:

- community or hospital outpatient pharmacy services will not be available within 48 hours;
- anti-infectives or HIV postexposure prophylaxis drugs or therapies are required; or
- drugs or therapies are packaged directly by the manufacturer in quantities larger than a 48 hour supply that cannot be altered to be limited to a 48 hour supply.

The prohibition on a health care entity dispensing more than a 72-hour supply of drugs to a patient does not apply when:

- community or hospital outpatient pharmacy services will not be available within 72 hours;
- anti-infectives or HIV postexposure prophylaxis drugs or therapies are required; or
- drugs or therapies are packaged directly by the manufacturer in quantities larger than a 72 hour supply that cannot be limited to a 72 hour supply.

Nothing in this act permits hospitals to bill separately from a bundled payment for drugs dispensed pursuant to this act, except as allowed for HIV postexposure prophylaxis and

opioid overdose reversal drugs. Nothing in this act permits health care entities to bill separately for drugs dispensed pursuant to this act.

EFFECT OF HEALTH & LONG-TERM CARE COMMITTEE AMENDMENT(S):

- Prohibits hospitals from billing separately from a bundled payment for drugs dispensed pursuant to this act.
- Prohibits health care entities from billing separately for drugs dispensed pursuant to this act.

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 on Substitute House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: Access to pharmacies is becoming more limited and many drugs require more than a 48-hour dose. This bill reduces waste by allowing hospitals and health care entities to dispense the entire package of prepackaged drugs.

Persons Testifying: PRO: Representative Lisa Parshley, Prime Sponsor.

Persons Signed In To Testify But Not Testifying: PRO: Janet Schade, Forks Community Hospital; Catrina Schwartz, Coulee Medical Center; Katie Kolan, Washington State Hospital Association; Jenny Arnold, Washington State Pharmacy Association.