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**SENATE BILL 5513**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senators Slatter, Chapman, Nobles, and Short

Read first time 01/27/25. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to expanding pharmacists' scope of practice to  
2 improve access to health care and the management of chronic diseases;  
3 amending RCW 69.41.030; reenacting and amending RCW 18.64.011; adding  
4 a new section to chapter 18.64 RCW; creating new sections; and  
5 providing an expiration date.

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

7 NEW SECTION. **Sec. 1.** The legislature recognizes pharmacists as  
8 highly educated health care professionals uniquely qualified to  
9 prescribe medications and devices to improve patient outcomes. Being  
10 deeply concerned about provider shortages in Washington, particularly  
11 in rural and underserved communities, the legislature seeks to expand  
12 access to care by leveraging pharmacists' expertise. It is the intent  
13 of the legislature to improve patient outcomes for behavioral and  
14 physical health by permitting pharmacists to practice at the top of  
15 their education, training, and experience.

16 **Sec. 2.** RCW 18.64.011 and 2024 c 121 s 30 are each reenacted and  
17 amended to read as follows:

18 The definitions in this section apply throughout this chapter  
19 unless the context clearly requires otherwise.

1 (1) "Administer" means the direct application of a drug or  
2 device, whether by injection, inhalation, ingestion, or any other  
3 means, to the body of a patient or research subject.

4 (2) "Business licensing system" means the mechanism established  
5 by chapter 19.02 RCW by which business licenses, endorsed for  
6 individual state-issued licenses, are issued and renewed utilizing a  
7 business license application and a business license expiration date  
8 common to each renewable license endorsement.

9 (3) "Chart order" means a lawful order for a drug or device  
10 entered on the chart or medical record of an inpatient or resident of  
11 an institutional facility by a practitioner or his or her designated  
12 agent.

13 (4) "Closed door long-term care pharmacy" means a pharmacy that  
14 provides pharmaceutical care to a defined and exclusive group of  
15 patients who have access to the services of the pharmacy because they  
16 are treated by or have an affiliation with a long-term care facility  
17 or hospice program, and that is not a retailer of goods to the  
18 general public.

19 (5) "Commission" means the pharmacy quality assurance commission.

20 (6) "Compounding" means the act of combining two or more  
21 ingredients in the preparation of a prescription. Reconstitution and  
22 mixing of (a) sterile products according to federal food and drug  
23 administration-approved labeling does not constitute compounding if  
24 prepared pursuant to a prescription and administered immediately or  
25 in accordance with package labeling, and (b) nonsterile products  
26 according to federal food and drug administration-approved labeling  
27 does not constitute compounding if prepared pursuant to a  
28 prescription.

29 (7) "Controlled substance" means a drug or substance, or an  
30 immediate precursor of such drug or substance, so designated under or  
31 pursuant to the provisions of chapter 69.50 RCW.

32 (8) "Deliver" or "delivery" means the actual, constructive, or  
33 attempted transfer from one person to another of a drug or device,  
34 whether or not there is an agency relationship.

35 (9) "Department" means the department of health.

36 (10) "Device" means instruments, apparatus, and contrivances,  
37 including their components, parts, and accessories, intended (a) for  
38 use in the diagnosis, cure, mitigation, treatment, or prevention of  
39 disease in human beings or other animals, or (b) to affect the

1 structure or any function of the body of human beings or other  
2 animals.

3 (11) "Directed plan of correction" means a plan devised by the  
4 commission that includes specific actions that must be taken to  
5 correct identified unresolved deficiencies with time frames to  
6 complete them.

7 (12) "Dispense" means the interpretation of a prescription or  
8 order for a drug, biological, or device and, pursuant to that  
9 prescription or order, the proper selection, measuring, compounding,  
10 labeling, or packaging necessary to prepare that prescription or  
11 order for delivery.

12 (13) "Distribute" means the delivery of a drug or device other  
13 than by administering or dispensing.

14 (14) "Drug" and "devices" do not include surgical or dental  
15 instruments or laboratory materials, gas and oxygen, therapy  
16 equipment, X-ray apparatus or therapeutic equipment, their component  
17 parts or accessories, or equipment, instruments, apparatus, or  
18 contrivances used to render such articles effective in medical,  
19 surgical, or dental treatment, or for use or consumption in or for  
20 mechanical, industrial, manufacturing, or scientific applications or  
21 purposes. "Drug" also does not include any article or mixture covered  
22 by the Washington pesticide control act (chapter 15.58 RCW), as  
23 enacted or hereafter amended, nor medicated feed intended for and  
24 used exclusively as a feed for animals other than human beings.

25 (15) "Drugs" means:

26 (a) Articles recognized in the official United States  
27 pharmacopoeia or the official homeopathic pharmacopoeia of the United  
28 States;

29 (b) Substances intended for use in the diagnosis, cure,  
30 mitigation, treatment, or prevention of disease in human beings or  
31 other animals;

32 (c) Substances (other than food) intended to affect the structure  
33 or any function of the body of human beings or other animals; or

34 (d) Substances intended for use as a component of any substances  
35 specified in (a), (b), or (c) of this subsection, but not including  
36 devices or their component parts or accessories.

37 (16) "Health care entity" means an organization that provides  
38 health care services in a setting that is not otherwise licensed by  
39 the state to acquire or possess legend drugs. Health care entity  
40 includes a freestanding outpatient surgery center, a residential

1 treatment facility, and a freestanding cardiac care center. "Health  
2 care entity" does not include an individual practitioner's office or  
3 a multipractitioner clinic, regardless of ownership, unless the owner  
4 elects licensure as a health care entity. "Health care entity" also  
5 does not include an individual practitioner's office or  
6 multipractitioner clinic identified by a hospital on a pharmacy  
7 application or renewal pursuant to RCW 18.64.043.

8 (17) "Hospice program" means a hospice program certified or paid  
9 by medicare under Title XVIII of the federal social security act, or  
10 a hospice program licensed under chapter 70.127 RCW.

11 (18) "Immediate jeopardy" means a situation in which a licensee's  
12 noncompliance with one or more statutory or regulatory requirements  
13 has placed the health and safety of individuals or animals at risk  
14 for serious injury, serious harm, serious impairment, or death.

15 (19) "Institutional facility" means any organization whose  
16 primary purpose is to provide a physical environment for patients to  
17 obtain health care services including, but not limited to, services  
18 in a hospital, long-term care facility, hospice program, mental  
19 health facility, drug abuse treatment center, residential  
20 habilitation center, or a local, state, or federal correction  
21 facility.

22 (20) "Labeling" means the process of preparing and affixing a  
23 label to any drug or device container. The label must include all  
24 information required by current federal and state law and pharmacy  
25 rules.

26 (21) "Legend drugs" means any drugs which are required by any  
27 applicable federal or state law or regulation to be dispensed on  
28 prescription only or are restricted to use by practitioners only.

29 (22) "License," "licensing," and "licensure" shall be deemed  
30 equivalent to the terms "approval," "credential," "certificate,"  
31 "certification," "permit," and "registration" and an "exemption"  
32 issued under chapter 69.50 RCW.

33 (23) "Long-term care facility" means a nursing home licensed  
34 under chapter 18.51 RCW, an assisted living facility licensed under  
35 chapter 18.20 RCW, or an adult family home licensed under chapter  
36 70.128 RCW.

37 (24) "Manufacture" means the production, preparation,  
38 propagation, compounding, or processing of a drug or other substance  
39 or device or the packaging or repackaging of such substance or  
40 device, or the labeling or relabeling of the commercial container of

1 such substance or device, but does not include the activities of a  
2 practitioner who, as an incident to his or her administration or  
3 dispensing such substance or device in the course of his or her  
4 professional practice, personally prepares, compounds, packages, or  
5 labels such substance or device. "Manufacture" includes the  
6 distribution of a licensed pharmacy compounded drug product to other  
7 state licensed persons or commercial entities for subsequent resale  
8 or distribution, unless a specific product item has approval of the  
9 commission. The term does not include:

10 (a) The activities of a licensed pharmacy that compounds a  
11 product on or in anticipation of an order of a licensed practitioner  
12 for use in the course of their professional practice to administer to  
13 patients, either personally or under their direct supervision;

14 (b) The practice of a licensed pharmacy when repackaging  
15 commercially available medication in small, reasonable quantities for  
16 a practitioner legally authorized to prescribe the medication for  
17 office use only;

18 (c) The distribution of a drug product that has been compounded  
19 by a licensed pharmacy to other appropriately licensed entities under  
20 common ownership or control of the facility in which the compounding  
21 takes place; or

22 (d) The delivery of finished and appropriately labeled compounded  
23 products dispensed pursuant to a valid prescription to alternate  
24 delivery locations, other than the patient's residence, when  
25 requested by the patient, or the prescriber to administer to the  
26 patient, or to another licensed pharmacy to dispense to the patient.

27 (25) "Manufacturer" means a person, corporation, or other entity  
28 engaged in the manufacture of drugs or devices.

29 (26) "Nonlegend" or "nonprescription" drugs means any drugs which  
30 may be lawfully sold without a prescription.

31 (27) "Person" means an individual, corporation, government,  
32 governmental subdivision or agency, business trust, estate, trust,  
33 partnership or association, or any other legal entity.

34 (28) "Pharmacist" means a person duly licensed by the commission  
35 to engage in the practice of pharmacy.

36 (29) "Pharmacy" means every place properly licensed by the  
37 commission where the practice of pharmacy is conducted.

38 (30) "Plan of correction" means a proposal devised by the  
39 applicant or licensee that includes specific actions that must be

1 taken to correct identified unresolved deficiencies with the time  
2 frames to complete them.

3 (31) "Poison" does not include any article or mixture covered by  
4 the Washington pesticide control act (chapter 15.58 RCW), as enacted  
5 or hereafter amended.

6 (32) "Practice of pharmacy" includes the practice of and  
7 responsibility for: Interpreting prescription orders; the  
8 compounding, dispensing, labeling, administering, and distributing of  
9 drugs and devices; the monitoring of drug therapy and use; the  
10 initiating or modifying of drug therapy in accordance with written  
11 guidelines or protocols previously established and approved for his  
12 or her practice by a practitioner authorized to prescribe drugs; the  
13 diagnosing of conditions and diseases as authorized by this chapter  
14 and commission rules; the prescribing or ordering of drugs and  
15 devices as authorized by this chapter and commission rules; the  
16 participating in drug utilization reviews and drug product selection;  
17 the proper and safe storing and distributing of drugs and devices and  
18 maintenance of proper records thereof; the providing of information  
19 on legend drugs which may include, but is not limited to, the  
20 advising of therapeutic values, hazards, and the uses of drugs and  
21 devices.

22 (33) "Practitioner" means a physician, dentist, veterinarian,  
23 nurse, or other person duly authorized by law or rule in the state of  
24 Washington to prescribe drugs.

25 (34) "Prescription" means an order for drugs or devices issued by  
26 a practitioner duly authorized by law or rule in the state of  
27 Washington to prescribe drugs or devices in the course of his or her  
28 professional practice for a legitimate medical purpose.

29 (35) "Secretary" means the secretary of health or the secretary's  
30 designee.

31 (36) "Shared pharmacy services" means a system that allows a  
32 participating pharmacist or pharmacy pursuant to a request from  
33 another participating pharmacist or pharmacy to process or fill a  
34 prescription or drug order, which may include but is not necessarily  
35 limited to preparing, packaging, labeling, data entry, compounding  
36 for specific patients, dispensing, performing drug utilization  
37 reviews, conducting claims adjudication, obtaining refill  
38 authorizations, reviewing therapeutic interventions, or reviewing  
39 chart orders.

1 (37) "Statement of deficiency" means a written statement of the  
2 deficiencies prepared by the commission, or its designee, identifying  
3 one or more violations of law. The report clearly identifies the  
4 specific law or rule that has been violated along with a description  
5 of the reasons for noncompliance.

6 (38) "Wholesaler" means a corporation, individual, or other  
7 entity which buys drugs or devices for resale and distribution to  
8 corporations, individuals, or entities other than consumers.

9 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.64  
10 RCW to read as follows:

11 (1) Beginning December 1, 2026, a pharmacist may prescribe the  
12 following:

- 13 (a) Immunizations;
- 14 (b) Opioid antagonists and treatments for addiction;
- 15 (c) Epinephrine autoinjectors;
- 16 (d) Antihistamine agents;
- 17 (e) Tobacco cessation products;
- 18 (f) Medications to prevent human immunodeficiency virus;
- 19 (g) Tuberculin purified protein derivative products;
- 20 (h) Hormonal contraception;
- 21 (i) Medications to treat or prevent diseases related to travel;

22 and

23 (j) Drugs, drug categories, or devices that are limited to  
24 conditions that:

- 25 (i) Do not require a new diagnosis;
- 26 (ii) Are minor and generally self-limiting;
- 27 (iii) Have a test that is used to guide diagnosis or clinical  
28 decision making and are waived under the federal clinical laboratory  
29 improvement amendments of 1988;

30 (iv) Are devices waived under the federal clinical laboratory  
31 improvement amendments of 1988; or

32 (v) Are prescribed in team-based practices with a shared medical  
33 record.

34 (2) This section expires January 1, 2030.

35 **Sec. 4.** RCW 69.41.030 and 2024 c 102 s 2 are each amended to  
36 read as follows:

37 (1) It shall be unlawful for any person to sell or deliver any  
38 legend drug, or knowingly possess any legend drug, or knowingly use

1 any legend drug in a public place, except upon the order or  
2 prescription of a physician under chapter 18.71 RCW, an osteopathic  
3 physician and surgeon under chapter 18.57 RCW, an optometrist  
4 licensed under chapter 18.53 RCW who is certified by the optometry  
5 board under RCW 18.53.010, a dentist under chapter 18.32 RCW, a  
6 podiatric physician and surgeon under chapter 18.22 RCW, a licensed  
7 midwife to the extent authorized under chapter 18.50 RCW, a  
8 veterinarian under chapter 18.92 RCW, a commissioned medical or  
9 dental officer in the United States armed forces or public health  
10 service in the discharge of his or her official duties, a duly  
11 licensed physician or dentist employed by the veterans administration  
12 in the discharge of his or her official duties, a registered nurse or  
13 advanced registered nurse practitioner under chapter 18.79 RCW when  
14 authorized by the board of nursing, a pharmacist licensed under  
15 chapter 18.64 RCW to the extent permitted (~~by drug therapy~~  
16 ~~guidelines or protocols established under RCW 18.64.011 and~~  
17 ~~authorized by the commission and approved by a practitioner~~  
18 ~~authorized to prescribe drugs~~) under chapter 18.64 RCW, a physician  
19 assistant under chapter 18.71A RCW when authorized by the Washington  
20 medical commission, or any of the following professionals in any  
21 province of Canada that shares a common border with the state of  
22 Washington or in any state of the United States: A physician licensed  
23 to practice medicine and surgery or a physician licensed to practice  
24 osteopathic medicine and surgery, a dentist licensed to practice  
25 dentistry, a podiatric physician and surgeon licensed to practice  
26 podiatric medicine and surgery, a licensed advanced registered nurse  
27 practitioner, a licensed physician assistant, or a veterinarian  
28 licensed to practice veterinary medicine: PROVIDED, HOWEVER, That the  
29 above provisions shall not apply to sale, delivery, or possession by  
30 drug wholesalers or drug manufacturers, or their agents or employees,  
31 or to any practitioner acting within the scope of his or her license,  
32 or to a common or contract carrier or warehouse operator, or any  
33 employee thereof, whose possession of any legend drug is in the usual  
34 course of business or employment: PROVIDED FURTHER, That nothing in  
35 this chapter or chapter 18.64 RCW shall prevent a family planning  
36 clinic that is under contract with the health care authority from  
37 selling, delivering, possessing, and dispensing commercially  
38 prepackaged oral contraceptives prescribed by authorized, licensed  
39 health care practitioners: PROVIDED FURTHER, That nothing in this  
40 chapter prohibits possession or delivery of legend drugs by an

1 authorized collector or other person participating in the operation  
2 of a drug take-back program authorized in chapter 69.48 RCW.

3 (2) (a) A violation of this section involving the sale, delivery,  
4 or possession with intent to sell or deliver is a class B felony  
5 punishable according to chapter 9A.20 RCW.

6 (b) A violation of this section involving knowing possession is a  
7 misdemeanor. The prosecutor is encouraged to divert such cases for  
8 assessment, treatment, or other services.

9 (c) A violation of this section involving knowing use in a public  
10 place is a misdemeanor. The prosecutor is encouraged to divert such  
11 cases for assessment, treatment, or other services.

12 (d) No person may be charged with both knowing possession and  
13 knowing use in a public place under this section relating to the same  
14 course of conduct.

15 (e) In lieu of jail booking and referral to the prosecutor for a  
16 violation of this section involving knowing possession, or knowing  
17 use in a public place, law enforcement is encouraged to offer a  
18 referral to assessment and services available under RCW 10.31.110 or  
19 other program or entity responsible for receiving referrals in lieu  
20 of legal system involvement, which may include, but are not limited  
21 to, arrest and jail alternative programs established under RCW  
22 36.28A.450, law enforcement assisted diversion programs established  
23 under RCW 71.24.589, and the recovery navigator program established  
24 under RCW 71.24.115.

25 (3) For the purposes of this section, "public place" has the same  
26 meaning as defined in RCW 66.04.010, but the exclusions in RCW  
27 66.04.011 do not apply.

28 (4) For the purposes of this section, "use any legend drug" means  
29 to introduce the drug into the human body by injection, inhalation,  
30 ingestion, or any other means.

31 NEW SECTION. **Sec. 5.** The pharmacy quality assurance commission  
32 may adopt rules to administer and implement this act.

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