
SUBSTITUTE SENATE BILL 5924

State of Washington

69th Legislature

2026 Regular Session

By Senate Health & Long-Term Care (originally sponsored by Senators Slatter, Short, Chapman, Conway, Hasegawa, Nobles, Orwall, Riccelli, Saldaña, and Shewmake)

READ FIRST TIME 02/04/26.

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;
13 limited diagnosing in accordance with section 3 of this act; the
14 prescribing or ordering of drugs and devices as authorized by this
15 chapter and commission rules; the participating in drug utilization
16 reviews and drug product selection; the proper and safe storing and
17 distributing of drugs and devices and maintenance of proper records
18 thereof; the providing of information on legend drugs which may
19 include, but is not limited to, the advising of therapeutic values,
20 hazards, and the uses of drugs and devices.

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

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

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

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

39 (37) "Statement of deficiency" means a written statement of the
40 deficiencies prepared by the commission, or its designee, identifying

1 one or more violations of law. The report clearly identifies the
2 specific law or rule that has been violated along with a description
3 of the reasons for noncompliance.

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

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

9 Beginning December 1, 2027, a pharmacist may prescribe the
10 following:

- 11 (1) Immunizations;
- 12 (2) Opioid antagonists and treatments for addiction;
- 13 (3) Epinephrine autoinjectors;
- 14 (4) Antihistamine agents;
- 15 (5) Tobacco cessation products;
- 16 (6) Medications to prevent human immunodeficiency virus;
- 17 (7) Tuberculin purified protein derivative products;
- 18 (8) Hormonal contraception;
- 19 (9) Medications to treat or prevent diseases related to travel;

20 and

21 (10) Drugs, drug categories, or devices that are limited to
22 conditions that:

- 23 (a) Do not require a new diagnosis;
- 24 (b) Are minor and generally self-limiting;
- 25 (c) Have a test that is used to guide diagnosis or clinical
26 decision making and are waived under the federal clinical laboratory
27 improvement amendments of 1988;
- 28 (d) Are devices waived under the federal clinical laboratory
29 improvement amendments of 1988; or
- 30 (e) Are prescribed in team-based practices with a shared medical
31 record.

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

- 34 (1) It shall be unlawful for any person to sell or deliver any
35 legend drug, or knowingly possess any legend drug, or knowingly use
36 any legend drug in a public place, except upon the order or
37 prescription of a physician under chapter 18.71 RCW, an osteopathic
38 physician and surgeon under chapter 18.57 RCW, an optometrist

1 licensed under chapter 18.53 RCW who is certified by the optometry
2 board under RCW 18.53.010, a dentist under chapter 18.32 RCW, a
3 podiatric physician and surgeon under chapter 18.22 RCW, a licensed
4 midwife to the extent authorized under chapter 18.50 RCW, a
5 veterinarian under chapter 18.92 RCW, a commissioned medical or
6 dental officer in the United States armed forces or public health
7 service in the discharge of his or her official duties, a duly
8 licensed physician or dentist employed by the veterans administration
9 in the discharge of his or her official duties, a registered nurse or
10 advanced registered nurse practitioner under chapter 18.79 RCW when
11 authorized by the board of nursing, a pharmacist licensed under
12 chapter 18.64 RCW to the extent permitted (~~(by drug therapy
13 guidelines or protocols established under RCW 18.64.011 and
14 authorized by the commission and approved by a practitioner
15 authorized to prescribe drugs)~~) under chapter 18.64 RCW, a physician
16 assistant under chapter 18.71A RCW when authorized by the Washington
17 medical commission, or any of the following professionals in any
18 province of Canada that shares a common border with the state of
19 Washington or in any state of the United States: A physician licensed
20 to practice medicine and surgery or a physician licensed to practice
21 osteopathic medicine and surgery, a dentist licensed to practice
22 dentistry, a podiatric physician and surgeon licensed to practice
23 podiatric medicine and surgery, a licensed advanced registered nurse
24 practitioner, a licensed physician assistant, or a veterinarian
25 licensed to practice veterinary medicine: PROVIDED, HOWEVER, That the
26 above provisions shall not apply to sale, delivery, or possession by
27 drug wholesalers or drug manufacturers, or their agents or employees,
28 or to any practitioner acting within the scope of his or her license,
29 or to a common or contract carrier or warehouse operator, or any
30 employee thereof, whose possession of any legend drug is in the usual
31 course of business or employment: PROVIDED FURTHER, That nothing in
32 this chapter or chapter 18.64 RCW shall prevent a family planning
33 clinic that is under contract with the health care authority from
34 selling, delivering, possessing, and dispensing commercially
35 prepackaged oral contraceptives prescribed by authorized, licensed
36 health care practitioners: PROVIDED FURTHER, That nothing in this
37 chapter prohibits possession or delivery of legend drugs by an
38 authorized collector or other person participating in the operation
39 of a drug take-back program authorized in chapter 69.48 RCW.

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

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

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

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

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

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

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

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

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