

WSR 09-06-018
EXPEDITED RULES
DEPARTMENT OF HEALTH
 (Board of Pharmacy)
 [Filed February 20, 2009, 2:09 p.m.]

Title of Rule and Other Identifying Information: WAC 246-869-090 Prescription transfers, correcting typographical error and make a technical correction to the rule.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Doreen E. Beebe, Department of Health, Board of Pharmacy, 310 Israel Road S.E., P.O. Box 47863, Tumwater, WA 98501, AND RECEIVED BY May 4, 2009.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The proposed amendment corrects a typographical error in the code of federal regulation number reference in WAC 246-869-090 (2)(e) to 21 C.F.R. 1306.25 and makes a technical correction replacing the word "doctor" with "prescriber."

Reasons Supporting Proposal: Corrects and clarifies references made in rule to provide the public and practitioners with accurate information. Expedited rule making is appropriate for rules that "correct typographical errors, makes address or name changes, or clarify language of a rule without changing its effect," under RCW 34.05.353 (1)(c).

Statutory Authority for Adoption: RCW 18.64.005.

Statute Being Implemented: RCW 18.64.005 and 69.41.050.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington department of health, board of pharmacy, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Doreen E. Beebe, 310 Israel Road S.E., Tumwater, WA 98501, (360) 236-4834.

February 18, 2009

Doreen E. Beebe
 Program Manager

AMENDATORY SECTION (Amending Order 191B, filed 8/30/91, effective 9/30/91)

WAC 246-869-090 Prescription transfers. The transfer of original prescription information for a noncontrolled substance legend drug for the purpose of refill dispensing is permissible between pharmacies subject to the following requirements:

(1) The transfer is communicated directly between two licensed pharmacists and the transferring pharmacist records the following information:

(a) Record in the patient medication record system that a copy has been issued.

(b) Record in the patient medication record system the name and address of the pharmacy to which it was transferred and the name of the pharmacist receiving the prescription information.

(2) The pharmacist receiving the transferred prescription information shall reduce to writing the following:

(a) Write the word "TRANSFER" on the face of the transferred prescription.

(b) Provide all information required to be on the prescription - patient's name and address; (~~doctor's~~) prescriber's name and address, and also include:

(i) Date of issuance of original prescription.

(ii) Number of valid refills remaining and date of last refill.

(iii) The pharmacy's name, address, and original prescription number from which the prescription information was transferred.

(iv) Name of transferor pharmacist.

(c) Both the original and transferred prescription must be maintained as if they were original prescriptions.

(d) A transferred prescription may not be refilled after one year from the date the original was issued.

(e) The above subsections apply to the transfer of prescription information for noncontrolled substances. The transfer of controlled substance prescription information must conform to the requirements of 21 CFR (~~1306.26~~) 1306.25.

(3) When a prescription is transferred, no further refills shall be issued by the transferring pharmacy.

(4) If two or more pharmacies utilize a common electronic data base for prescription recordkeeping, prescriptions may be refilled at any of these pharmacies as long as there is provided an audit trail which documents the location of each filling and provisions are made to assure that the number of authorized refills are not exceeded.

WSR 09-06-083
EXPEDITED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed March 3, 2009, 11:33 a.m.]

Title of Rule and Other Identifying Information: Chapter 296-43 WAC.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Josh Swanson, Legisla-

tive Liaison, Department of Labor and Industries, P.O. Box 44001, Olympia, WA 98504-4001, AND RECEIVED BY May 4, 2009.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: In 1961, the department adopted rule[s] for heating installations. These rules are out of date and no longer used, therefore the department is repealing the rules.

Statutory Authority for Adoption: Chapter 19.28 RCW.
Statute Being Implemented: Chapter 19.28 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of labor and industries, governmental.

Name of Agency Personnel Responsible for Drafting: Ron Fuller, Olympia, Washington, (360) 905-5249; Implementation and Enforcement: Patrick Woods, Olympia, Washington, (360) 902-6348.

March 3, 2009
Judy Schurke
Director

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 296-43-010 Heating cables—General.
- WAC 296-43-020 Heating cables—Maximum wattage and temperature.
- WAC 296-43-030 Heating cables—Permissible installation methods in buildings.
- WAC 296-43-040 Heating cables—Thermal insulation.
- WAC 296-43-050 Heating cables—Elements installed in tanks, troughs, or pipe lines containing liquids.
- WAC 296-43-060 Heating element in soil or sand.
- WAC 296-43-070 Heating element imbedded in driveways.