

WSR 21-09-063

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF HEALTH

(Pharmacy Quality Assurance Commission)

[Filed April 19, 2021, 10:52 a.m.]

Subject of Possible Rule Making: Chapter 246-945 WAC, the pharmacy quality assurance commission (commission) is considering adding a new section to the chapter to allow retired pharmacists to apply for a retired active pharmacist license status and practice pharmacy under certain conditions. The commission may also amend other sections in chapter 246-945 WAC to correspond to the new section.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.64.005, 18.64.205.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: On March 26, 2020, Governor Inslee signed Proclamation 20-32 to help increase the number of healthcare workers available to meet the needs of patients during the novel coronavirus disease (COVID-19) pandemic. This proclamation included a provision that allows a pharmacist with a retired active pharmacist license status to practice pharmacy. Specifically, the proclamation waived "shall not be authorized to practice pharmacy and" from WAC 246-863-080(2) Retired pharmacist license. In other words, the proclamation permitted those with the retired pharmacist license to practice pharmacy.

However, the commission recently updated and consolidated all rules under its authority into one new chapter (chapter 246-945 WAC). In this rewrite process, WAC 246-863-080 and the retired active pharmacist license was repealed, effective July 1, 2020.

The commission adopted an emergency rule on February 1, 2021, under WSR 21-04-116 creating a retired active pharmacy license status in the new chapter to meet the intent of the governor's proclamation and allow retired pharmacists to assist with the COVID-19 response with pharmacy services such as vaccine administration. Permanent rules are now necessary to keep the retired active pharmacist license status in place.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None; this rule aligns with the governor's proclamations permitting those with a retired pharmacist license to practice pharmacy.

Process for Developing New Rule: Collaborative.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lindsay Trant, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-2932, TTY 711, email PharmacyRules@doh.wa.gov.

April 19, 2021

Tim Lynch, PharmD, MS, FABC, FASHP, Chair
Pharmacy Quality Assurance Commission