

WSR 21-05-054

PERMANENT RULES

DEPARTMENT OF HEALTH

(Pharmacy Quality Assurance Commission)

[Filed February 15, 2021, 11:16 a.m., effective March 18, 2021]

Effective Date of Rule: Thirty-one days after filing.

Purpose: Title 246 WAC, rules regarding the practice of pharmacy. The pharmacy quality assurance commission (commission) recently completed a two-and-a-half-year process to consolidate all chapters of rule under Title 246 WAC within its authority into one new chapter, chapter 246-945 WAC. This package repeals the chapters of rules relating to pharmacy that were replaced by chapter 246-945 WAC, with the exception of the continuing education (CE) sections, which have a delayed effective date in the new chapter to align with rule making currently in progress regarding fees collected by the commission. Chapter 246-861 WAC and WAC 246-901-061, existing CE rules, will be repealed when the new CE rules in chapter 246-945 WAC become effective.

Citation of Rules Affected by this Order: Repealing chapters 246-856, 246-858, 246-860, 246-863, 246-865, 246-867, 246-869, 246-870, 246-871, 246-873, 246-874, 246-875, 246-877, 246-878, 246-879, 246-881, 246-883, 246-885, 246-886, 246-887, 246-888, 246-889, 246-891, 246-895, 246-897, 246-899, 246-901 (except for 246-901-061), 246-903, 246-904, and 246-905 WAC.

Statutory Authority for Adoption: RCW 18.64.005, 18.64.080, 18.130.075, 18.64.043, 18.64.044, 18.64.045, 18.64.046, 18.64.370, 18.64.460, 18.64.011, 18.64.245, 18.64.470, 18.64.255, 18.64.205, 18.64.253, 18.64.410, 18.64.500, 18.64.590, 69.50.310, 69.41.075.

Adopted under notice filed as WSR 20-16-045 on July 27, 2020.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 259.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 259.

Date Adopted: December 3, 2021.

Tim Lynch, PharmD, MS, FABC, FASHP
Chair

OTS-2336.1

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-856-001 Purpose.
WAC 246-856-020 Adjudicative proceedings—Procedural rules for the board of pharmacy.

OTS-2337.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-858-020 General requirements.
WAC 246-858-030 Registration of interns.
WAC 246-858-040 Rules for the pharmacy intern.
WAC 246-858-050 Intern training reports.
WAC 246-858-060 Requirements for preceptor certification.
WAC 246-858-070 Rules for preceptors.
WAC 246-858-080 Special internship approval.

OTS-2338.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-860-010 Purpose of chapter.
WAC 246-860-020 Definitions.
WAC 246-860-100 Sexual misconduct.

OTS-2339.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-863-020 Examinations.
WAC 246-863-030 Applicants—Reciprocity applicants.
WAC 246-863-035 Temporary permits.

WAC 246-863-040	Foreign-trained applicants.
WAC 246-863-060	Licensed pharmacists—Employed as responsible managers—Duty to notify board.
WAC 246-863-070	Inactive credential.
WAC 246-863-080	Retired pharmacist license.
WAC 246-863-090	Expired license.
WAC 246-863-095	Pharmacist's professional responsibilities.
WAC 246-863-100	Pharmacist prescriptive authority—Prior board notification of written guideline or protocol required.
WAC 246-863-110	Monitoring of drug therapy by pharmacists.
WAC 246-863-120	AIDS prevention and information education requirements.

OTS-2340.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-865-010	Definitions.
WAC 246-865-020	Promulgation.
WAC 246-865-030	Emergency kit.
WAC 246-865-040	Supplemental dose kits.
WAC 246-865-050	Drug facilities.
WAC 246-865-060	Pharmaceutical services.
WAC 246-865-070	Provision for continuity of drug therapy for residents.

OTS-2341.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-867-001	Purpose and scope.
WAC 246-867-010	Definitions.
WAC 246-867-020	Applicability.

WAC 246-867-030 Reporting and freedom from liability.
WAC 246-867-040 Approval of substance abuse monitoring programs.
WAC 246-867-050 Participation in approved substance abuse monitoring program.
WAC 246-867-060 Confidentiality.

OTS-2342.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-869-010 Pharmacies' responsibilities.
WAC 246-869-020 Pharmacies and differential hours.
WAC 246-869-030 Pharmacy license notice requirements.
WAC 246-869-040 New pharmacy registration.
WAC 246-869-060 Employers to require evidence of pharmacist's qualifications.
WAC 246-869-070 Responsible manager—Appointment.
WAC 246-869-080 Clinic dispensaries.
WAC 246-869-090 Prescription transfers.
WAC 246-869-100 Prescription record requirements.
WAC 246-869-105 Continuity of care refills in proclaimed emergencies.
WAC 246-869-110 Refusal to permit inspection.
WAC 246-869-130 Return or exchange of drugs.
WAC 246-869-140 Prescription department—Conversing with pharmacist prohibited.
WAC 246-869-150 Physical standards for pharmacies—Adequate stock.
WAC 246-869-160 Physical standards for pharmacies—Adequate facilities.
WAC 246-869-170 Physical standards for pharmacies—Sanitary conditions.
WAC 246-869-180 Physical standards for pharmacies—Adequate equipment.
WAC 246-869-190 Pharmacy inspections and self-inspection worksheets.
WAC 246-869-200 Poison control.
WAC 246-869-210 Prescription labeling.
WAC 246-869-220 Patient counseling required.
WAC 246-869-230 Child-resistant containers.

- WAC 246-869-235 Prescription drug repackaging—
Definitions.
- WAC 246-869-250 Closing a pharmacy.
- WAC 246-869-255 Customized patient medication packages.

OTS-2343.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 246-870-010 Purpose.
- WAC 246-870-020 What definitions do I need to know to understand these rules?
- WAC 246-870-030 What is included in the electronic transmission and transfer of prescription information?
- WAC 246-870-040 Can all prescriptions be transmitted electronically?
- WAC 246-870-050 What are the requirements for fax machines?
- WAC 246-870-060 What are the board requirements for electronic prescription transmission systems?
- WAC 246-870-070 What are the board requirements for pharmacies using electronic prescription transmission systems?
- WAC 246-870-080 Can prescription records be stored electronically?
- WAC 246-870-090 Can electronic mail systems be used to transmit patient information?

OTS-2344.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 246-871-001 Scope and purpose.
- WAC 246-871-010 Definitions.
- WAC 246-871-020 Policy and procedure manual.
- WAC 246-871-030 Physical requirements.

WAC 246-871-040	Personnel.
WAC 246-871-050	Drug distribution and control.
WAC 246-871-060	Antineoplastic medications.
WAC 246-871-070	Clinical services.
WAC 246-871-080	Quality assurance.

OTS-2345.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-873-010	Definitions.
WAC 246-873-020	Applicability.
WAC 246-873-030	Licensure.
WAC 246-873-040	Personnel.
WAC 246-873-050	Absence of a pharmacist.
WAC 246-873-060	Provision of emergency department discharge medications when pharmacy services are unavailable.
WAC 246-873-070	Physical requirements.
WAC 246-873-080	Drug procurement, distribution and control.
WAC 246-873-090	Administration of drugs.
WAC 246-873-100	Investigational drugs.
WAC 246-873-110	Additional responsibilities of pharmacy service.

OTS-2346.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-874-010	Definitions.
WAC 246-874-020	General applicability.
WAC 246-874-025	Responsible manager designation requirement for an ADDD.
WAC 246-874-030	General requirements for an ADDD.
WAC 246-874-040	Security and safety requirements for ADDD.

WAC 246-874-050	Accountability requirements for an ADDD.
WAC 246-874-060	Quality assurance process requirements for ADDD.
WAC 246-874-070	Nursing students ADDD access.

OTS-2347.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-875-001	Purpose.
WAC 246-875-010	Definitions.
WAC 246-875-020	Minimum required information in an automated patient medication record system.
WAC 246-875-030	Minimum required information in a manual patient medication record system.
WAC 246-875-040	Minimum procedures for utilization of a patient medication record system.
WAC 246-875-050	Auxiliary recordkeeping procedure.
WAC 246-875-060	Retrieval of information from an automated system.
WAC 246-875-070	Confidentiality and security of data.
WAC 246-875-080	Extension of time for compliance.

OTS-2348.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-877-020	Drug sample prohibitions.
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OTS-2349.1

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-878-010	Definitions.
WAC 246-878-020	Compounded drug products—Pharmacist.
WAC 246-878-030	Organization and personnel.
WAC 246-878-040	Facilities.
WAC 246-878-050	Sterile pharmaceutical.
WAC 246-878-060	Radiopharmaceuticals.
WAC 246-878-070	Special precaution products.
WAC 246-878-080	Equipment.
WAC 246-878-090	Control of components and drug product containers and closures.
WAC 246-878-100	Drug compounding controls.
WAC 246-878-110	Labeling control of excess products.
WAC 246-878-120	Records and reports.

OTS-2350.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-879-010	Definitions.
WAC 246-879-020	Minimum standards for wholesalers.
WAC 246-879-030	Inspections.
WAC 246-879-040	Records.
WAC 246-879-050	Security.
WAC 246-879-060	Unauthorized sales.
WAC 246-879-070	Application for full line wholesaler license and over-the-counter only wholesaler license.
WAC 246-879-080	Application for controlled substance wholesaler license.
WAC 246-879-090	Export wholesaler.
WAC 246-879-100	Salvaging and reprocessing companies.
WAC 246-879-110	Violations and penalties.
WAC 246-879-120	Reciprocity.

OTS-2351.1

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-881-010	Drug price advertising defined.
WAC 246-881-020	Drug price advertising conditions.
WAC 246-881-030	Prohibition on advertising controlled substances.
WAC 246-881-040	Drug price disclosure—Required.

OTS-2352.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-883-020	Identification of legend drugs for purposes of chapter 69.41 RCW.
WAC 246-883-025	Introductory trade or stock packages.
WAC 246-883-030	Ephedrine prescription restrictions.
WAC 246-883-040	Regulated steroids.
WAC 246-883-050	Theophylline prescription restrictions.

OTS-2353.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-885-020	Drug imprint information provided by manufacturers and distributors.
WAC 246-885-030	Over-the-counter (OTC) drug imprint regulation.

OTS-2354.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-886-001	Purpose.
WAC 246-886-010	Definitions.
WAC 246-886-020	Registration.
WAC 246-886-030	Approved legend drugs.
WAC 246-886-035	Sodium pentobarbital—Approved controlled substance.
WAC 246-886-040	Training of personnel.
WAC 246-886-050	Legend drug administration.
WAC 246-886-060	Responsible individuals.
WAC 246-886-080	Recordkeeping and reports.
WAC 246-886-090	Drug storage and field use.
WAC 246-886-100	Violations.
WAC 246-886-150	Chemical capture programs.
WAC 246-886-160	Registration requirements.
WAC 246-886-170	Authorized individuals.
WAC 246-886-180	Approved legend drugs.
WAC 246-886-190	Controlled substances training.
WAC 246-886-200	Storage requirements.
WAC 246-886-210	Controlled substances records and reports.
WAC 246-886-220	Approved controlled substances.
WAC 246-886-230	Controlled substances registration disciplinary actions.

OTS-2355.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-887-020	Uniform Controlled Substances Act.
WAC 246-887-040	Designation of nonnarcotic stimulant drugs for purposes of RCW 69.50.402 (1) (c).
WAC 246-887-045	Prescribing, dispensing, or administering of Schedule II nonnarcotic stimulants.
WAC 246-887-080	Sodium pentobarbital registration disciplinary action.
WAC 246-887-090	Authority to control.
WAC 246-887-100	Schedule I.
WAC 246-887-140	Schedule II.
WAC 246-887-150	Schedule II immediate precursors.

WAC 246-887-160	Schedule III.
WAC 246-887-170	Schedule IV.
WAC 246-887-180	Schedule V.
WAC 246-887-200	Other controlled substance registrants— Requirements.
WAC 246-887-210	Standards for transmission of controlled substances sample distribution reports.

OTS-2356.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-888-010	Purpose.
WAC 246-888-020	What is self-administration with assistance and how is it different from independent self-administration or medication administration?
WAC 246-888-030	How is self-administration with assistance initiated in a community- based care setting or an in-home setting?
WAC 246-888-045	What is an enabler?
WAC 246-888-050	How can medications be altered to assist with self-administration?
WAC 246-888-060	Can all medications be altered to facilitate self-administration?
WAC 246-888-070	What other type of assistance can a nonpractitioner provide?
WAC 246-888-080	Is oxygen covered under this rule?
WAC 246-888-090	If a individual/resident is able to administer his or her own oral medication through a gastrostomy or "g- tube," can a nonpractitioner provide assistance as outlined in these rules?
WAC 246-888-100	Are there any other requirements I need to be aware of?

OTS-2357.1

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-889-010	Definitions.
WAC 246-889-020	Precursor substance defined.
WAC 246-889-030	Reports of precursor receipt.
WAC 246-889-040	Monthly reporting option.
WAC 246-889-050	Suspicious transactions and reporting requirements.
WAC 246-889-070	Retail sales of nonprescription ephedrine, pseudoephedrine, and phenylpropanolamine products.
WAC 246-889-085	Requirements for the sale of restricted product.
WAC 246-889-090	Acceptable forms of photo identification.
WAC 246-889-095	Record of sales—Electronic methamphetamine precursor tracking.
WAC 246-889-110	Maintenance of and access to retail sales records of restricted products.
WAC 246-889-115	Exemptions from electronic reporting.
WAC 246-889-120	Denial of sale—Override.

OTS-2358.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-891-010	Definitions.
WAC 246-891-020	Conditions for the sale of condoms.
WAC 246-891-030	Condom standards.

OTS-2359.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-895-010	Definitions.
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WAC 246-895-020	Finished pharmaceuticals—Manufacturing practice.
WAC 246-895-030	Personnel.
WAC 246-895-040	Buildings or facilities.
WAC 246-895-050	Equipment.
WAC 246-895-060	Production and control procedures.
WAC 246-895-070	Components.
WAC 246-895-080	Component and drug product containers and closures.
WAC 246-895-090	Reuse of teat dip containers and closures.
WAC 246-895-100	Laboratory controls.
WAC 246-895-110	Stability.
WAC 246-895-120	Expiration dating.
WAC 246-895-130	Packaging and labeling.
WAC 246-895-140	Master production and control records— Batch production and control records.
WAC 246-895-150	Distribution records.
WAC 246-895-160	Complaint files.
WAC 246-895-170	Variance and procedure.

OTS-2360.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-897-020	Availability.
WAC 246-897-060	Identity.

OTS-2361.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-899-020	Dispensing responsibilities.
WAC 246-899-030	Product selection responsibilities.

- WAC 246-899-040 Manufacturers, wholesalers, distributors, pharmacy location, requirement that drug products offered for sale comply with 21 U.S.C. 355— Immediate suspension and subsequent revocation of licenses authorized for violation.
- WAC 246-899-050 Out-of-state prescriptions.

OTS-2362.3REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 246-901-010 Definitions.
- WAC 246-901-020 Pharmacy ancillary personnel utilization.
- WAC 246-901-030 Technician education and training.
- WAC 246-901-035 Pharmacy technician specialized functions.
- WAC 246-901-040 Limitations, trainees.
- WAC 246-901-050 Technician program approval.
- WAC 246-901-060 Technician certification.
- WAC 246-901-065 Expired technician license.
- WAC 246-901-070 Pharmacy assistant utilization.
- WAC 246-901-080 Pharmacy assistant registration.
- WAC 246-901-090 Identification.
- WAC 246-901-100 Board approval of pharmacies utilizing pharmacy ancillary personnel and specialized functions.
- WAC 246-901-120 AIDS prevention and information education requirements.
- WAC 246-901-130 Pharmacist to pharmacy technician ratio.

OTS-2363.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-903-001	Purpose and scope.
WAC 246-903-010	Definitions.
WAC 246-903-020	Nuclear pharmacies.
WAC 246-903-030	Nuclear pharmacists.
WAC 246-903-040	Minimum equipment requirements.

OTS-2364.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-904-010	Definition.
WAC 246-904-020	New health care entity licensing.
WAC 246-904-030	Pharmacist in charge.
WAC 246-904-040	Drug procurement, distribution and control.
WAC 246-904-050	Dispensing of prescription medications from health care entities.
WAC 246-904-060	Labeling.
WAC 246-904-070	Records.
WAC 246-904-080	Absence of a pharmacist.
WAC 246-904-090	Administration.
WAC 246-904-100	Closing.

OTS-2365.1REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-905-020	Home dialysis program—Legend drugs.
WAC 246-905-030	Pharmacist consultant.
WAC 246-905-040	Records.
WAC 246-905-050	Quality assurance.