WSR 26-16-006
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
(Pharmacy Quality Assurance Commission)
[Filed July 23, 2026, 7:37 a.m.]

Subject of Possible Rule Making: Clarifying licensure requirements for a change in pharmacy ownership. The pharmacy quality assurance commission (commission) and the department of health (department) are considering amending WAC 246-945-230 and 246-945-992 to allow a pharmacy, and potentially other pharmaceutical firm types, to retain the same credential number if a change of ownership occurs because of a stock sale.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.64.005 and 18.64.043.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commission received a petition on March 3, 2026, requesting rule making to clarify asset sales and stock sales in the commission's change of ownership rules. The petitioner requested that the goal of such rule making would be to allow a pharmacy purchased through a stock sale to maintain its current license number and contracts to prevent interruptions to patient care.

The commission's rules on change of ownership are in WAC 246-945-230 (3)(c)(i) and 246-945-992(2) and apply to all pharmaceutical firms: Pharmacies, health care entities, hospital pharmacy associated clinics, nonresident pharmacies, wholesalers, and manufacturers. The commission last discussed pharmacy change of ownership at its July 17, 2020, business meeting. The commission determined that a stock purchase involving more than 50 percent of the shares in a pharmacy corporation triggers the "change of ownership" process based on applicable laws and rules.

More recently, the commission determined, following discussion at its April 2, 2026, business meeting, that the existing rules around changes in pharmacy ownership and the associated licensing process merits further consideration. The commission granted the petitioner's request to consider rule making to reduce regulatory barriers for licensees undergoing the change of ownership process and to reduce delays in patient care brought about by that process.

While the commission does not anticipate changing any fees pertaining to this rule-making topic, there is a chance that amending change of ownership rules may impact revenue. As the relevant fees are under the joint authority of the commission and the secretary of health (secretary), it is necessary to conduct a joint filing between the commission and the department and to have the secretary sign off on rule-making documents to be filed with the office of the code reviser.

The commission will consult with departmental fiscal analysts to ensure the commission's budget is stable if any changes are anticipated, and the commission will involve department staff in conversations relating to subsequent rules package and language drafts and related information gathering efforts. A department representative will also preside over any public hearings on this topic.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by

contacting Joshua Munroe, P.O. Box 47850, Olympia, WA 98504-7850, phone 360-502-5058, fax 360-236-2260, TTY 711, email PharmacyRules@doh.wa.gov; or Heather Cantrell, P.O. Box 47850, Olympia, WA 98504-7852, TTY 711, email HSQAfeerules@doh.wa.gov.

Additional comments: Rule development takes place in open public meetings prior to a formal rule proposal and comment period. All rule-making notices are sent via email. To receive notices, interested persons may sign up by going to https://public.govdelivery.com/accounts/WADOH/subscriber/new. After signing up, click open the box labeled "Health Systems Quality Assurance." Next, click open the box labeled "Health Professions," then check the boxes next to either "Pharmacy Commission Meeting and Agenda" and/or "Pharmacy Commission Newsletter."

July 23, 2026
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Pharmacy Quality Assurance Commission
and Kristin Peterson, JD
Chief of Policy
for Dennis E. Worsham
Secretary of Health