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HOUSE BILL 1110

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State of Washington                      52nd Legislature                      1991 Regular Session

By Representatives Day, Silver, Braddock and Orr.

Read first time January 18, 1991. Referred to Committee on Health Care.

1            AN ACT Relating to prescription drugs; amending RCW 69.41.030; and  
2 declaring an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 69.41.030 and 1990 c 219 s 2 are each amended to read  
5 as follows:

6            It shall be unlawful for any person to sell, deliver, or possess  
7 any legend drug except upon the order or prescription of a physician  
8 under chapter 18.71 RCW, an osteopathic physician or an osteopathic  
9 physician and surgeon under chapter 18.57 RCW, a dentist under chapter  
10 18.32 RCW, a ((podiatrist)) podiatric physician and surgeon under  
11 chapter 18.22 RCW, a veterinarian under chapter 18.92 RCW, a  
12 commissioned medical or dental officer in the United States armed  
13 forces, marine hospital service, or public health service in the  
14 discharge of his or her official duties, a duly licensed physician or

1 dentist employed by the veterans administration in the discharge of his  
2 or her official duties, a registered nurse under chapter 18.88 RCW when  
3 authorized by the board of nursing, an osteopathic physician(~~((S))~~)  
4 assistant under chapter 18.57A RCW when authorized by the committee of  
5 osteopathic examiners, a physician's assistant under chapter 18.71A RCW  
6 when authorized by the board of medical examiners, a physician licensed  
7 to practice medicine and surgery or a physician licensed to practice  
8 osteopathy and surgery, a dentist licensed to practice dentistry, a  
9 podiatrist licensed to practice podiatry, or a veterinarian licensed to  
10 practice veterinary medicine, in any province of Canada which shares a  
11 common border with the state of Washington or in any state of the  
12 United States: PROVIDED, HOWEVER, That the above provisions shall not  
13 apply to sale, delivery, or possession by drug wholesalers or drug  
14 manufacturers, or their agents or employees, or to any practitioner  
15 acting within the scope of his or her license, or to a common or  
16 contract carrier or warehouseman, or any employee thereof, whose  
17 possession of any legend drug is in the usual course of business or  
18 employment: PROVIDED FURTHER, That nothing in this chapter or chapter  
19 18.64 RCW shall prevent a family planning clinic that is under contract  
20 with the department of social and health services from selling,  
21 delivering, possessing, and dispensing commercially prepackaged oral  
22 contraceptives prescribed by authorized, licensed health care  
23 practitioners(~~((: PROVIDED FURTHER, That it shall be unlawful to fill  
24 a prescription written by an authorized prescriber who is not licensed  
25 in this state if more than six months has passed since the date of the  
26 issuance of the original prescription))~~).

27 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
28 preservation of the public peace, health, or safety, or support of the  
29 state government and its existing public institutions, and shall take

1 effect immediately.