
SENATE BILL 5009

State of Washington

54th Legislature

1995 Regular Session

By Senator McCaslin

Read first time 01/09/95. Referred to Committee on Ways & Means.

1 AN ACT Relating to drugs for use in the diagnosis, cure,
2 mitigation, treatment, or prevention of disease or other ailment in
3 humans; amending RCW 82.08.0281 and 82.12.0275; and providing an
4 effective date.

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

6 **Sec. 1.** RCW 82.08.0281 and 1993 sp.s. c 25 s 308 are each amended
7 to read as follows:

8 (1) The tax levied by RCW 82.08.020 shall not apply to sales of
9 ~~((prescription))~~ drugs, including sales to the state or a political
10 subdivision or municipal corporation thereof of drugs to be dispensed
11 to patients ~~((by—prescription))~~ without charge. The term
12 "~~((prescription))~~ drugs" shall include any medicine, drug,
13 ~~((prescription—lens))~~ vitamin, or other substance other than food for
14 use in the diagnosis, cure, mitigation, treatment, or prevention of
15 disease or other ailment in humans, or for use for family planning
16 purposes, including the prevention of conception, whether supplied(~~(÷~~

17 ~~(1) By a family planning clinic that is under contract with the~~
18 ~~department of health to provide family planning services; or~~

1 ~~(2) Under the written prescription to a pharmacist by a~~
2 ~~practitioner authorized by law of this state or laws of another~~
3 ~~jurisdiction to issue prescriptions; or~~

4 ~~(3) Upon an oral prescription of such practitioner which is reduced~~
5 ~~promptly to writing and filed by a duly licensed pharmacist; or~~

6 ~~(4) By refilling any such written or oral prescription if such~~
7 ~~refilling is authorized by the prescriber either in the original~~
8 ~~prescription or by oral order which is reduced promptly to writing and~~
9 ~~filed by the pharmacist; or~~

10 ~~(5))~~ by prescription of a medical practitioner authorized by the
11 laws of this state or another jurisdiction to issue prescriptions or
12 authorized by the federal food and drug administration for over-the-
13 counter sale.

14 (2) The tax levied by RCW 82.08.020 shall not apply to sales of
15 prescription lenses when supplied by physicians or optometrists by way
16 of written directions and specifications for the preparation, grinding,
17 and fabrication of lenses intended to aid or correct visual defects or
18 anomalies of humans.

19 **Sec. 2.** RCW 82.12.0275 and 1993 sp.s. c 25 s 309 are each amended
20 to read as follows:

21 (1) The provisions of this chapter shall not apply in respect to
22 the use of (~~prescription~~) drugs, including the use by the state or a
23 political subdivision or municipal corporation thereof of drugs to be
24 dispensed to patients (~~by prescription~~) without charge. The term
25 "~~prescription~~ drugs" shall include any medicine, drug,
26 (~~prescription lens~~) vitamin, or other substance other than food for
27 use in the diagnosis, cure, mitigation, treatment, or prevention of
28 disease or other ailment in humans, or for use for family planning
29 purposes, including the prevention of conception, whether supplied(~~;~~

30 ~~(1) By a family planning clinic that is under contract with the~~
31 ~~department of health to provide family planning services; or~~

32 ~~(2) Under the written prescription to a pharmacist by a~~
33 ~~practitioner authorized by law of this state or laws of another~~
34 ~~jurisdiction to issue prescriptions; or~~

35 ~~(3) Upon an oral prescription of such practitioner which is reduced~~
36 ~~promptly to writing and filed by a duly licensed pharmacist; or~~

37 ~~(4) By refilling any such written or oral prescription if such~~
38 ~~refilling is authorized by the prescriber either in the original~~

1 ~~prescription or by oral order which is reduced promptly to writing and~~
2 ~~filed by the pharmacist; or~~

3 (5)) by prescription of a medical practitioner authorized by the
4 laws of this state or another jurisdiction to issue prescriptions or
5 authorized by the federal food and drug administration for over-the-
6 counter sale.

7 (2) The provisions of this chapter shall not apply in respect to
8 the use of prescription lenses when supplied by physicians or
9 optometrists by way of written directions and specifications for the
10 preparation, grinding, and fabrication of lenses intended to aid or
11 correct visual defects or anomalies of humans.

12 NEW SECTION. Sec. 3. This act shall take effect August 1, 1995.

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