

2 SHB 2048 - S COMM AMD

3 By Committee on Health & Long-Term Care

4 Adopted 4/12/91 - Voice Vote

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 18.130
8 RCW to read as follows:

9 The disciplining authority may adopt rules pursuant to this section
10 authorizing a retired active license status. An individual
11 credentialed by a disciplining authority regulated in the state under
12 RCW 18.130.040, who is practicing only in emergent or intermittent
13 circumstances as defined by rule established by the disciplining
14 authority, may hold a retired active license at a reduced renewal fee
15 established by the secretary under RCW 43.70.250. Such a license shall
16 meet the continuing education or continued competency requirements, if
17 any, established by the disciplining authority for renewals, and is
18 subject to the provisions of this chapter. Individuals who have
19 entered into retired status agreements with the disciplinary authority
20 in any jurisdiction shall not qualify for a retired active license
21 under this section."

22 "NEW SECTION. **Sec. 2.** A new section is added to chapter 18.64 RCW
23 to read as follows:

24 The board may adopt rules pursuant to this section authorizing a
25 retired active license status. An individual licensed pursuant to this
26 chapter, who is practicing only in emergent or intermittent
27 circumstances as defined by rule established by the board, may hold a

1 retired active license at a reduced renewal fee established by the
2 secretary under RCW 43.70.250. Such a license shall meet the
3 continuing education requirements, if any, established by the board for
4 renewals, and is subject to the provisions of the uniform disciplinary
5 act, chapter 18.130 RCW. Individuals who have entered into retired
6 status agreements with the disciplinary authority in any jurisdiction
7 shall not qualify for a retired active license under this section."

8 "Sec. 3. RCW 18.64.043 and 1989 1st ex.s. c 9 s 414 are each
9 amended to read as follows:

10 (1) The owner of each pharmacy shall pay an original license fee to
11 be determined by the secretary, and annually thereafter, on or before
12 a date to be determined by the secretary, a fee to be determined by the
13 secretary, for which he or she shall receive a license of location,
14 which shall entitle the owner to operate such pharmacy at the location
15 specified, or such other temporary location as the secretary may
16 approve, for the period ending on a date to be determined by the
17 secretary, and each such owner shall at the time of filing proof of
18 payment of such fee as provided in RCW 18.64.045 as now or hereafter
19 amended, file with the department on a blank therefor provided, a
20 declaration of ownership and location, which declaration of ownership
21 and location so filed as aforesaid shall be deemed presumptive evidence
22 of ownership of the pharmacy mentioned therein.

23 (2) It shall be the duty of the owner to immediately notify the
24 department of any change of location or ownership and to keep the
25 license of location or the renewal thereof properly exhibited in said
26 pharmacy.

27 (3) Failure to comply with this section shall be deemed a
28 misdemeanor, and each day that said failure continues shall be deemed
29 a separate offense.

1 (4) In the event such license fee remains unpaid (~~for sixty days~~
2 ~~from~~) on the date due, no renewal or new license shall be issued
3 except upon payment of the license renewal fee and a penalty fee equal
4 to the original license fee."

5 **"Sec. 4.** RCW 18.64.045 and 1989 1st ex.s. c 9 s 416 are each
6 amended to read as follows:

7 The owner of each and every place of business which manufactures
8 drugs shall pay a license fee to be determined by the secretary, and
9 thereafter, on or before a date to be determined by the secretary, a
10 fee to be determined by the secretary, for which the owner shall
11 receive a license of location from the department, which shall entitle
12 the owner to manufacture drugs at the location specified for the period
13 ending on a date to be determined by the board, and each such owner
14 shall at the time of payment of such fee file with the department, on
15 a blank therefor provided, a declaration of ownership and location,
16 which declaration of ownership and location so filed as aforesaid shall
17 be deemed presumptive evidence of the ownership of such place of
18 business mentioned therein. It shall be the duty of the owner to
19 notify immediately the department of any change of location or
20 ownership and to keep the license of location or the renewal thereof
21 properly exhibited in such place of business. Failure to conform with
22 this section shall be deemed a misdemeanor, and each day that said
23 failure continues shall be deemed a separate offense. In event such
24 license fee remains unpaid (~~for sixty days from~~) on the date due, no
25 renewal or new license shall be issued except upon payment of the
26 license renewal fee and a penalty fee equal to the license renewal
27 fee."

1 **"Sec. 5.** RCW 18.64.046 and 1989 1st ex.s. c 9 s 417 are each
2 amended to read as follows:

3 The owner of each place of business which sells legend drugs and
4 nonprescription drugs, or nonprescription drugs at wholesale shall pay
5 a license fee to be determined by the secretary, and thereafter, on or
6 before a date to be determined by the secretary, a like fee to be
7 determined by the secretary, for which the owner shall receive a
8 license of location from the department, which shall entitle such owner
9 to either sell legend drugs and nonprescription drugs or
10 nonprescription drugs at wholesale at the location specified for the
11 period ending on a date to be determined by the board, and each such
12 owner shall at the time of payment of such fee file with the
13 department, on a blank therefor provided, a declaration of ownership
14 and location, which declaration of ownership and location so filed as
15 aforesaid shall be deemed presumptive evidence of the ownership of such
16 place of business mentioned therein. It shall be the duty of the owner
17 to notify immediately the department of any change of location and
18 ownership and to keep the license of location or the renewal thereof
19 properly exhibited in such place of business. Failure to conform with
20 this section shall be deemed a misdemeanor, and each day that said
21 failure continues shall be deemed a separate offense. In event such
22 license fee remains unpaid (~~((for sixty days from))~~) on the date due, no
23 renewal or new license shall be issued except upon payment of the
24 license renewal fee and a penalty fee equal to the license renewal
25 fee."

26 **"Sec. 6.** RCW 18.64.047 and 1989 1st ex.s. c 9 s 418 are each
27 amended to read as follows:

28 Any itinerant vendor or any peddler of any nonprescription drug or
29 preparation for the treatment of disease or injury, shall pay a

1 registration fee determined by the secretary on a date to be determined
2 by the secretary. The department may issue a registration to such
3 vendor on an approved application made to the department. Any itinerant
4 vendor or peddler who shall vend or sell, or offer to sell to the
5 public any such nonprescription drug or preparation without having
6 registered to do so as provided in this section, shall be guilty of a
7 misdemeanor and each sale or offer to sell shall constitute a separate
8 offense. In event such registration fee remains unpaid (~~for sixty days~~
9 ~~from~~) on the date due, no renewal or new registration shall be issued
10 except upon payment of the registration renewal fee and a penalty fee
11 equal to the renewal fee. This registration shall not authorize the
12 sale of legend drugs or controlled substances."

13 "Sec. 7. RCW 18.64.140 and 1989 1st ex.s. c 9 s 421 are each
14 amended to read as follows:

15 Every licensed pharmacist who desires to practice pharmacy shall
16 secure from the department a license, the fee for which shall be
17 determined by the secretary. The renewal fee shall also be determined
18 by the secretary. The date of renewal may be established by the
19 secretary by regulation and the department may by regulation extend the
20 duration of a licensing period for the purpose of staggering renewal
21 periods. Such regulation may provide a method for imposing and
22 collecting such additional proportional fee as may be required for the
23 extended period. Payment of this fee shall entitle the licensee to a
24 pharmacy law book, subsequent current mailings of all additions,
25 changes, or deletions in the pharmacy practice act, chapter 18.64 RCW,
26 and all additions, changes, or deletions of pharmacy board and
27 department regulations. Pharmacists shall pay the license renewal fee
28 and a penalty equal to the license renewal fee for the late renewal of
29 their license (~~more than sixty days after the renewal is due~~). The

1 current license shall be conspicuously displayed to the public in the
2 pharmacy to which it applies. Any licensed pharmacist who desires to
3 leave the active practice of pharmacy in this state may secure from the
4 department an inactive license. The initial license and renewal fees
5 shall be determined by the secretary. The holder of an inactive
6 license may reactivate his or her license to practice pharmacy in
7 accordance with rules adopted by the board."

8 "Sec. 8. RCW 69.45.070 and 1989 1st ex.s. c 9 s 447 are each
9 amended to read as follows:

10 The department may charge reasonable fees for registration. The
11 registration fee shall not exceed the fee charged by the department for
12 a pharmacy location license. If the registration fee is not paid on or
13 before the date due, a renewal or new registration may be issued only
14 upon payment of the registration renewal fee and a penalty fee equal to
15 the registration renewal fee."

16 "Sec. 9. RCW 69.50.301 and 1989 1st ex.s. c 9 s 431 are each
17 amended to read as follows:

18 The state board of pharmacy may promulgate rules and the secretary
19 may set fees (~~of not less than ten dollars or more than fifty~~
20 ~~dollars~~) in accordance with RCW 43.70.250 relating to the registration
21 and control of the manufacture, distribution, and dispensing of
22 controlled substances within this state."

23 "NEW SECTION. Sec. 10. A new section is added to chapter 18.64A
24 RCW to read as follows:

25 If a pharmacy assistant allows his or her certificate to lapse by
26 failing to renew on or before the date due, a renewal or new license

1 may be issued only upon payment of the certification fee and a penalty
2 fee equal to the original certification fee."

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6 On page 1, line 1 of the title, after "fees;" strike the remainder
7 of the title and insert "amending RCW 18.64.043, 18.64.045, 18.64.046,
8 18.64.047, 18.64.140, 69.45.070, and 69.50.301; adding a new section to
9 chapter 18.130 RCW; adding a new section to chapter 18.64 RCW; and
10 adding a new section to chapter 18.64A RCW."