

HOUSE BILL REPORT

HB 2588

*As Reported By House Committee on:
Health Care*

Title: An act relating to drugs.

Brief Description: Changing certain drug regulations.

Sponsor(s): Representatives Braddock, Moyer, Prentice, Franklin, Edmondson, Paris, Morris, Sprenkle, Ballard, Casada, Chandler, Winsley and Cantwell.

Brief History:

Reported by House Committee on:
Health Care, February 6, 1992, DPS.

**HOUSE COMMITTEE ON
HEALTH CARE**

Majority Report: *The substitute bill be substituted therefor and the substitute bill do pass.* Signed by 9 members: Representatives Braddock, Chair; Day, Vice Chair; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Morris; Paris; Prentice; and Sprenkle.

Staff: John Welsh (786-7133).

Background: The Board of Pharmacy is responsible for regulating the practice of pharmacy by licensing pharmacists, and for regulating the manufacture, sale, prescription and dispensing of legend (prescription) drugs, as well as controlled substances which are drugs with addictive properties.

The definitions in the three chapters of the code which specify the board's responsibilities in the pharmacy practice law, the legend drug law and controlled substances law, are not uniform, nor placed in alphabetical order.

Recent developments reflect a need to update existing language with technical changes.

The Uniform Disciplinary Act governing the disciplining of licensees of the health professions for violations of unprofessional conduct does not include the practice of pharmacy.

Summary of Substitute Bill: The language of the definitions contained in the chapters relating to the practice of pharmacy, the regulation of legend drugs, and the regulation of controlled substances is made uniform and alphabetized.

The definition of "person" includes a joint venture, government agency or commercial entity.

The reference to the "United States Pharmacopoeia" is changed to United States pharmacopoeia/national formulary.

The definition of "drugs" includes substances for the prevention of pregnancy, as well as disease.

The definition of "practitioner" includes any person who dispenses as well as prescribes.

The definition of "pharmacist" includes a person licensed by the board, or by the board of the home state of a Washington licensed non-resident pharmacist.

A practitioner is made exempt from regulation as a drug manufacturer, whose activities fall within a scope of practice of another regulated profession; or who prepares, packages or labels a drug for research, teaching or chemical analysis, and not for re-sale.

Gas and oxygen are exempt from regulation as a drug, but oxygen for medical use is subject to regulation.

Biologicals are included as legend drugs.

The Uniform Disciplinary Act governing the disciplining of licensees for violations of unprofessional conduct includes the practice of pharmacy.

Substitute Bill Compared to Original Bill: An amendment incorporated the practice of pharmacy under the Uniform Disciplinary Act governing the discipline of licensed health professionals for violations of unprofessional conduct.

Fiscal Note: Requested January 29, 1992.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: The purpose of the bill is to standardize the definitions in the three chapters of the code relating to the practice of pharmacy, the regulation of legend drugs, and the regulation of controlled substances, respectively. Other technical changes should be made that update these chapters generally in accord with recent developments.

Testimony Against: None.

Witnesses: None.