
HOUSE BILL 1767

State of Washington 55th Legislature 1997 Regular Session

By Representatives Zellinsky and L. Thomas

Read first time 02/07/97. Referred to Committee on Health Care.

1 AN ACT Relating to prescription drugs; amending RCW 69.41.120;
2 adding new sections to chapter 69.41 RCW; and repealing RCW 69.41.130
3 and 69.41.160.

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

5 **Sec. 1.** RCW 69.41.120 and 1990 c 218 s 1 are each amended to read
6 as follows:

7 Every drug prescription shall contain an instruction on whether or
8 not a therapeutically equivalent generic drug may be substituted in its
9 place, unless substitution is permitted under a prior-consent
10 authorization.

11 (~~If a written prescription is involved, the form shall have two
12 signature lines at opposite ends on the bottom of the form. Under the
13 line at the right side shall be clearly printed the words "DISPENSE AS
14 WRITTEN". Under the line at the left side shall be clearly printed the
15 words "SUBSTITUTION PERMITTED". The practitioner shall communicate the
16 instructions to the pharmacist by signing the appropriate line. No
17 prescription shall be valid without the signature of the practitioner
18 on one of these lines.))~~)

1 Upon receipt of any prescription, the pharmacist may dispense a
2 therapeutically equivalent generic drug unless specifically advised to
3 the contrary by the prescribing practitioner. In order to advise the
4 pharmacist regarding substitution, the practitioner shall indicate this
5 in any manner that will communicate this information to the pharmacist.
6 Methods to instruct the pharmacist to dispense the brand name product
7 include but are not limited to using dual signature lines with the
8 appropriate instruction under each line, writing in the prescriber's
9 own handwriting "Dispense as written," "DAW," "Do Not Substitute,"
10 "Brand Medically Necessary," or words to the same effect, or by
11 checking a box that is labeled with this or similar wording. In the
12 case of a prescription issued by a practitioner in another state ((that
13 uses a one line prescription form or variation thereof)), the
14 pharmacist may substitute a therapeutically equivalent generic drug
15 unless otherwise instructed by the practitioner ((through the use of
16 the words "dispense as written", words of similar meaning, or some
17 other indication)).

18 If an oral prescription is involved, the practitioner or the
19 practitioner's agent shall instruct the pharmacist as to whether or not
20 a therapeutically equivalent generic drug may be substituted in its
21 place. The pharmacist shall note the instructions on the file copy of
22 the prescription.

23 Every written prescription issued by a practitioner in this state
24 shall contain the prescriber's signature and shall, in addition to such
25 signature, be imprinted or stamped legibly with the printed name of the
26 prescriber. The imprinted or stamped name shall appear in an
27 appropriate location on the prescription form and shall not be entered
28 in or upon any space or line reserved for the prescriber's signature.
29 The imprinted or stamped name shall not be employed as a substitute
30 for, or fulfill any legal requirement otherwise mandating that the
31 prescription be personally signed by the prescriber.

32 The pharmacist shall note the manufacturer of the drug dispensed on
33 the file copy of a written or oral prescription.

34 NEW SECTION. Sec. 2. A new section is added to chapter 69.41 RCW
35 to read as follows:

36 To improve communication between prescribing practitioners and
37 pharmacists, each prescription order should contain the following
38 information:

- 1 (1) Date of issue;
- 2 (2) Name and address of patient;
- 3 (3) Drug name or therapy;
- 4 (4) Drug strength, dosage form, and number of units or quantity to
- 5 be dispensed;
- 6 (5) Directions for use;
- 7 (6) Indication, reason, or purpose for use;
- 8 (7) Refill instructions;
- 9 (8) Drug enforcement administration number of the practitioner if
- 10 the drug is a controlled substance; and
- 11 (9) Signature of the prescribing practitioner, however a signature
- 12 is not required for those prescriptions that are communicated by
- 13 telephone or other electronic means.

14 NEW SECTION. **Sec. 3.** A new section is added to chapter 69.41 RCW
15 to read as follows:

16 A pharmacist may accept a prescription that has been electronically
17 transmitted from the prescriber in accordance with rules of the board
18 of pharmacy.

19 NEW SECTION. **Sec. 4.** The following acts or parts of acts are each
20 repealed:

21 (1) RCW 69.41.130 and 1986 c 52 s 2, 1979 c 110 s 3, & 1977 ex.s.
22 c 352 s 4; and

23 (2) RCW 69.41.160 and 1979 c 110 s 6 & 1977 ex.s. c 352 s 7.

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