
HOUSE BILL 2774

State of Washington

58th Legislature

2004 Regular Session

By Representatives Schual-Berke, Bailey, Linville, Alexander, Kagi, Campbell, Benson, Clibborn, Moeller, Darneille, Morrell, Morris, Delvin, Pearson, Simpson, G. and Chase

Read first time 01/20/2004. Referred to Committee on Health Care.

1 AN ACT Relating to prescription drugs; amending RCW 69.41.190; and
2 creating a new section.

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

4 **Sec. 1.** RCW 69.41.190 and 2003 1st sp.s. c 29 s 5 are each amended
5 to read as follows:

6 (1) Any pharmacist filling a prescription under a state purchased
7 health care program as defined in RCW 41.05.011(2) shall substitute,
8 where identified, a preferred drug for any nonpreferred drug in a given
9 therapeutic class, unless the endorsing practitioner has indicated on
10 the prescription that the nonpreferred drug must be dispensed as
11 written, or the prescription is for a refill of an antipsychotic,
12 antidepressant, chemotherapy, antiretroviral, or immunosuppressive
13 drug, in which case the pharmacist shall dispense the prescribed
14 nonpreferred drug. For the purposes of this subsection, "refill"
15 includes the continuation of therapy with the same drug, including the
16 renewal of a previous prescription or adjustments in dosage, when a
17 prescription is for a patient on a stable treatment regimen in one of
18 the five enumerated classes.

1 (2) When a substitution is made under subsection (1) of this
2 section, the dispensing pharmacist shall notify the prescribing
3 practitioner of the specific drug and dose dispensed.

4 NEW SECTION. **Sec. 2.** If any part of this act is found to be in
5 conflict with federal requirements that are a prescribed condition to
6 the allocation of federal funds to the state, the conflicting part of
7 this act is inoperative solely to the extent of the conflict and with
8 respect to the agencies directly affected, and this finding does not
9 affect the operation of the remainder of this act in its application to
10 the agencies concerned. Rules adopted under this act must meet federal
11 requirements that are a necessary condition to the receipt of federal
12 funds by the state.

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