

HB 2014 - S COMM AMD

By Committee on Health & Long-Term Care

ADOPTED 04/13/2009

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 18.64 RCW
4 to read as follows:

5 (1) Effective July 1, 2010, every prescription written in this
6 state by a licensed practitioner must be written on a tamper-resistant
7 prescription pad or paper approved by the board.

8 (2) A pharmacist may not fill a written prescription from a
9 licensed practitioner unless it is written on an approved tamper-
10 resistant prescription pad or paper, except that a pharmacist may
11 provide emergency supplies in accordance with the board and other
12 insurance contract requirements.

13 (3) If a hard copy of an electronic prescription is given directly
14 to the patient, the manually signed hard copy prescription must be on
15 approved tamper-resistant paper that meets the requirements of this
16 section.

17 (4) For the purposes of this section, "tamper-resistant
18 prescription pads or paper" means a prescription pad or paper that has
19 been approved by the board for use and contains the following
20 characteristics:

21 (a) One or more industry-recognized features designed to prevent
22 unauthorized copying of a completed or blank prescription form;

23 (b) One or more industry-recognized features designed to prevent
24 the erasure or modification of information written on the prescription
25 form by the practitioner; and

26 (c) One or more industry-recognized features designed to prevent
27 the use of counterfeit prescription forms.

28 (5) Practitioners shall employ reasonable safeguards to assure
29 against theft or unauthorized use of prescriptions.

1 (6) All vendors must have their tamper-resistant prescription pads
2 or paper approved by the board prior to the marketing or sale of pads
3 or paper in Washington state.

4 (7) The board shall create a seal of approval that confirms that a
5 pad or paper contains all three industry-recognized characteristics
6 required by this section. The seal must be affixed to all prescription
7 pads or paper used in this state.

8 (8) The board may adopt rules necessary for the administration of
9 this act.

10 (9) The tamper-resistant prescription pad or paper requirements in
11 this section shall not apply to:

12 (a) Prescriptions that are transmitted to the pharmacy by
13 telephone, facsimile, or electronic means; or

14 (b) Prescriptions written for inpatients of a hospital, outpatients
15 of a hospital, residents of a nursing home, inpatients or residents of
16 a mental health facility, or individuals incarcerated in a local,
17 state, or federal correction facility, when the health care
18 practitioner authorized to write prescriptions writes the order into
19 the patient's medical or clinical record, the order is given directly
20 to the pharmacy, and the patient never has the opportunity to handle
21 the written order.

22 (10) All acts related to the prescribing, dispensing, and records
23 maintenance of all prescriptions shall be in compliance with applicable
24 federal and state laws, rules, and regulations."

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25 On page 1, line 1 of the title, after "pads;" strike the remainder
26 of the title and insert "and adding a new section to chapter 18.64
27 RCW."

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