

# SENATE BILL REPORT

## SSB 6224

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As Passed Senate, February 11, 2010

**Title:** An act relating to conforming the uniform controlled substances act to existing state and federal law.

**Brief Description:** Conforming the uniform controlled substances act to existing state and federal law.

**Sponsors:** Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Becker and Gordon; by request of Department of Health).

**Brief History:**

**Committee Activity:** Health & Long-Term Care: 1/18/10, 1/20/10 [DPS].  
Passed Senate: 2/11/10, 47-0.

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### SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

**Majority Report:** That Substitute Senate Bill No. 6224 be substituted therefor, and the substitute bill do pass.

Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug, Ranking Minority Member; Becker, Marr and Parlette.

**Staff:** Edith Rice (786-7444)

**Background:** Controlled substances are drugs, substances, or immediate precursors included in Schedules I through V in federal and state laws and rules. State law grants the Board of Pharmacy the ability to add, delete, or reschedule substances in WAC and sets out criteria for consideration. If a substance is designated, rescheduled, or deleted as a controlled substance under federal law, the Board is directed to take similar action in its WAC rules.

The list of controlled substances and immediate precursors in Chapter 69.50 RCW was last updated in 1993. Since 1994 the Drug Enforcement Agency has scheduled, rescheduled, or deleted approximately 45 substances from Schedules I through V. Changes made to the Code of Federal Regulations (CFR) or the Washington Administrative Code after 1993 are not reflected in current law. Differences between state and federal statutes and rules can cause confusion for medical and legal practitioners.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary of Substitute Bill:** Chapter 69.50 RCW is updated to include substances listed in Title 21 CFR. Multiple sclerosis is included as a condition for which a Schedule II non-narcotic stimulant may be prescribed, dispensed, or administered to patients. "Practitioner" is now defined to include naturopathic physician and osteopathic physician assistant, consistent with state law. Other technical corrections are addressed.

**Appropriation:** None.

**Fiscal Note:** Available on original bill.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony on Original Bill:** PRO: We support the bill and would like to submit an amendment to further update the bill.

**Persons Testifying:** PRO: Karen Jensen, Department of Health.