

SSB 6238 - H COMM AMD

By Committee on Health Care & Wellness

ADOPTED 03/03/2016

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

3 "Sec. 1. RCW 69.50.402 and 2013 c 19 s 107 are each amended to
4 read as follows:

5 (1) It is unlawful for any person:

6 (a) Who is subject to Article III to distribute or dispense a
7 controlled substance in violation of RCW 69.50.308;

8 (b) Who is a registrant, to manufacture a controlled substance
9 not authorized by his or her registration, or to distribute or
10 dispense a controlled substance not authorized by his or her
11 registration to another registrant or other authorized person;

12 (c) Who is a practitioner, to prescribe, order, dispense,
13 administer, supply, or give to any person:

14 (i) Any amphetamine, including its salts, optical isomers, and
15 salts of optical isomers classified as a schedule II controlled
16 substance by the commission pursuant to chapter 34.05 RCW; or

17 (ii) Any nonnarcotic stimulant classified as a schedule II
18 controlled substance and designated as a nonnarcotic stimulant by the
19 commission pursuant to chapter 34.05 RCW;

20 except for the treatment of narcolepsy, or for the treatment of
21 hyperkinesia, or for the treatment of drug-induced brain dysfunction,
22 or for the treatment of epilepsy, or for the differential diagnostic
23 psychiatric evaluation of depression, or for the treatment of
24 depression shown to be refractory to other therapeutic modalities, or
25 for the treatment of multiple sclerosis, or for the treatment of any
26 other disease states or conditions for which the United States food
27 and drug administration has approved an indication, or for the
28 clinical investigation of the effects of such drugs or compounds, in
29 which case an investigative protocol therefor shall have been
30 submitted to and reviewed and approved by the commission before the
31 investigation has been begun: PROVIDED, That the commission, in

1 consultation with the medical quality assurance commission and the
2 osteopathic disciplinary board, may establish by rule, pursuant to
3 chapter 34.05 RCW, disease states or conditions in addition to those
4 listed in this subsection for the treatment of which Schedule II
5 nonnarcotic stimulants may be prescribed, ordered, dispensed,
6 administered, supplied, or given to patients by practitioners: AND
7 PROVIDED, FURTHER, That investigations by the commission of abuse of
8 prescriptive authority by physicians, licensed pursuant to chapter
9 18.71 RCW, pursuant to subsection (1)(c) of this section shall be
10 done in consultation with the medical quality assurance commission;

11 (d) To refuse or fail to make, keep or furnish any record,
12 notification, order form, statement, invoice, or information required
13 under this chapter;

14 (e) To refuse an entry into any premises for any inspection
15 authorized by this chapter; or

16 (f) Knowingly to keep or maintain any store, shop, warehouse,
17 dwelling, building, vehicle, boat, aircraft, or other structure or
18 place, which is resorted to by persons using controlled substances in
19 violation of this chapter for the purpose of using these substances,
20 or which is used for keeping or selling them in violation of this
21 chapter.

22 (2) Any person who violates this section is guilty of a class C
23 felony and upon conviction may be imprisoned for not more than two
24 years, fined not more than two thousand dollars, or both."

25 Correct the title.

EFFECT: Removes the specific authorization for prescribers to
prescribe schedule II amphetamines or non-narcotic stimulants for the
treatment of binge eating disorder. Allows prescribers to prescribe
schedule II amphetamines or non-narcotic stimulants for any disease
states or conditions for which the United States Food and Drug
Administration has approved an indication.

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