
Health Care & Wellness Committee

HB 2458

Brief Description: Concerning participation in the prescription drug donation program.

Sponsors: Representatives Parker, Cody, Riccelli, Holy and Tharinger.

Brief Summary of Bill

- Allows individuals to donate unused prescription drugs that meet certain quality standards to a pharmacy for redistribution to patients at no cost.
- Removes the requirement that priority for receiving donated drugs be given to patients with an income of 200 percent of the federal poverty level or less.

Hearing Date: 1/19/16

Staff: Chris Blake (786-7392).

Background:

Except in limited situations, the Pharmacy Quality Assurance Commission prohibits pharmacists from accepting drugs and supplies for return or exchange after they have been removed from the premises where they were sold, distributed, or dispensed. Exceptions apply to drugs that have been dispensed in unit dose forms or in a sealed ampoule that allows the pharmacist to determine if it has been tampered with and that it meets standards for storage conditions, including temperature, light sensitivity, and chemical and physical stability. In addition, pharmacies serving hospitals and long-term care facilities may accept drugs for return and reuse under similar circumstances. Controlled substances may not be returned to a pharmacy except to be destroyed.

There are liability protections for entities that donate, accept, or distribute prescription drugs that have been exchanged through a drug donation program. Under the program, practitioners, pharmacists, medical facilities, drug manufacturers, and drug wholesalers may donate prescription drugs for redistribution without compensation. The drugs must meet specific packaging standards and pharmacist review requirements. Approved drugs may be distributed to

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any patient, but priority is given to patients who are uninsured and have an income of 200 percent of the federal poverty limit or less.

Summary of Bill:

Individual persons and their representatives are added to the types of donors who may donate unused drugs to a pharmacy for redistribution under the prescription drug donation program. Individual persons who wish to donate to the program must complete and sign a donor form to authorize the release and certify that the donated prescription drugs have been properly stored and have not been opened, used, adulterated, or misbranded. The Department of Health is responsible for adopting the form.

The requirements that priority for the distribution of donated drugs be given to persons who are both uninsured and have an income that is at or below 200 percent of the federal poverty level are changed to remove the income standard. The term "uninsured" is defined as a person who either (1) does not have health insurance or (2) has health insurance, but that insurance does not include coverage for a drug that has been prescribed to the person.

The bill is named the "Cancer Can't Charitable Pharmacy Act."

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect January 1, 2017.