
HOUSE BILL 1402

State of Washington 64th Legislature 2015 Regular Session

By Representatives Schmick, Cody, Short, Tharinger, Jinkins,
Tarleton, and Wylie

Read first time 01/20/15. Referred to Committee on Health Care &
Wellness.

1 AN ACT Relating to access to prepackaged emergency medications in
2 hospital emergency departments when community or hospital pharmacy
3 services are not available; adding a new section to chapter 70.41
4 RCW; and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.41
7 RCW to read as follows:

8 (1) The legislature finds that high quality, safe, and
9 compassionate health care services for patients of Washington state
10 must be available at all times. The legislature further finds that
11 there is a need for patients being released from hospital emergency
12 departments to maintain access to emergency medications when
13 community or hospital pharmacy services are not available. It is the
14 intent of the legislature to accomplish this objective by allowing
15 practitioners with prescriptive authority to prescribe limited
16 amounts of prepackaged emergency medications to patients being
17 discharged from hospital emergency departments when access to
18 community or hospital pharmacy services is not otherwise available.

19 (2) A hospital may allow a practitioner to prescribe and
20 distribute prepackaged emergency medications to patients being
21 discharged from a hospital emergency department during times when

1 community or hospital pharmacy services are not available within
2 fifteen miles by road. A hospital may only allow this practice if:
3 The director of the hospital pharmacy, in collaboration with
4 appropriate hospital medical staff, develops policies and procedures
5 regarding the following:

6 (a) Development of a list, preapproved by the pharmacy director,
7 of the types of emergency medications to be prepackaged and
8 distributed;

9 (b) Assurances that emergency medications to be prepackaged
10 pursuant to this section are prepared by a pharmacist licensed under
11 chapter 18.64 RCW;

12 (c) Development of specific criteria under which emergency
13 prepackaged medications may be prescribed and distributed consistent
14 with the limitations of this section;

15 (d) Assurances that any practitioner authorized to prescribe
16 prepackaged emergency medication is trained on the types of
17 medications available and the circumstances under which they may be
18 distributed;

19 (e) Procedures to require practitioners intending to prescribe
20 prepackaged emergency medications pursuant to this section to
21 maintain a valid prescription either in writing or electronically in
22 the patient's records prior to a medication being distributed to a
23 patient;

24 (f) Establishment of a limit of no more than a forty-eight hour
25 supply of emergency medication as the minimum to be dispensed to a
26 patient, except when community or hospital pharmacy services will not
27 be available within forty-eight hours. In no case may the policy
28 allow a supply exceeding ninety-six hours be dispensed;

29 (g) Assurances that prepackaged emergency medications will be
30 kept in a secure location in or near the emergency department in such
31 a manner as to preclude the necessity for entry into the pharmacy;
32 and

33 (h) Assurances that nurses or practitioners will distribute
34 prepackaged emergency medications to patients only after a
35 practitioner has counseled the patient on the medication.

36 (3) The delivery of a single dose of medication for immediate
37 administration to the patient is not subject to the requirements of
38 this section.

39 (4) For purposes of this section:

1 (a) "Emergency medication" means any medication commonly
2 prescribed to emergency room patients, including those drugs,
3 substances or immediate precursors listed in schedules I through V of
4 the uniform controlled substances act, chapter 69.50 RCW, as now or
5 hereafter amended.

6 (b) "Distribute" means the delivery of a drug or device other
7 than by administering or dispensing.

8 (c) "Practitioner" means any person duly authorized by law or
9 rule in the state of Washington to prescribe drugs as defined in RCW
10 18.64.011(24).

11 (d) "Nurse" means a registered nurse as defined in RCW 18.79.020.

12 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
13 preservation of the public peace, health, or safety, or support of
14 the state government and its existing public institutions, and takes
15 effect immediately.

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