

HOUSE BILL REPORT

SHB 1765

As Passed Legislature

Title: An act relating to donations to the prescription drug donation program.

Brief Description: Concerning donations to the prescription drug donation program.

Sponsors: House Committee on Health Care & Wellness (originally sponsored by Representatives Irwin, Koster, Volz, Kraft, Stokesbary and Kloba).

Brief History:

Committee Activity:

Health Care & Wellness: 2/3/17, 2/8/17 [DPS].

Floor Activity:

Passed House: 3/7/17, 97-0.

Passed Senate: 3/30/17, 49-0.

Passed Legislature.

Brief Summary of Substitute Bill

- Limits the donated drugs that must be stored under required temperature conditions to only drugs equipped with a time/temperature indicator at the point of manufacture.
- Changes the donor form for prescription drugs that do not have a time/temperature indicator at the point of manufacture.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 17 members: Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier, Clibborn, DeBolt, Harris, Jinkins, MacEwen, Maycumber, Riccelli, Robinson, Rodne, Slatter, Stonier and Tharinger.

Staff: Jim Morishima (786-7191).

Background:

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.

A pharmacy may not accept for return prescription drugs after they have been taken from the premises where sold, distributed, or dispensed, except under limited circumstances. For example, a pharmacy may accept for return drugs legally dispensed by prescription in unit dose forms or in sealed single- or multiple-dose ampoules or vials where the pharmacist can readily determine that entry or attempted entry has not been made and which meet United States Pharmacopeia for storage conditions. A pharmacy may also accept controlled substances for purposes of destruction.

Under the Prescription Drug Donation Program, a practitioner, pharmacist, medical facility, drug manufacturer, or drug wholesaler may donate prescription drugs and supplies to a pharmacy for redistribution without compensation. When redistributing donated drugs, priority is given to patients who are uninsured and have an income of 200 percent of the federal poverty level or less. A drug may only be donated if it was stored under required temperature conditions using the drug's time/temperature indicator information and the donor has completed and signed a donor form to release the drug for distribution and certifying that the drug has never been opened, used, adulterated, or misbranded.

Summary of Substitute Bill:

To be eligible for donation, only drugs equipped with a time/temperature indicator at the point of manufacture must be stored under required temperature conditions using the drugs' time/temperature indicator information.

The donor form for prescription drugs that do not have a time/temperature indicator at the point of manufacture must include an attestation that the drugs have been stored in a manner that adheres to the conditions established by the manufacturer.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony:

(In support) People battling serious diseases often face tough financial decisions. These people often have difficulty paying out-of-pocket expenses and allowing donated medications can ease this burden. Legislation that passed last year created an unintended consequence by requiring donated medications to have a time/temperature indicator. Since most medications do not have a time/temperature indicator, the legislation inadvertently made most medications ineligible for donation. This bill makes it possible to donate medications not equipped with a time/temperature indicator at the point of manufacture.

(Opposed) None.

Persons Testifying: Representative Irwin, prime sponsor; Rebecca Van Keulen, Cancer Can't; and Erin Dziejic, American Cancer Society Cancer Action Network.

Persons Signed In To Testify But Not Testifying: None.