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**SUBSTITUTE HOUSE BILL 1765**

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**State of Washington                      65th Legislature                      2017 Regular Session**

**By House Health Care & Wellness (originally sponsored by Representatives Irwin, Koster, Volz, Kraft, Stokesbary, and Kloba)**

READ FIRST TIME 02/13/17.

1            AN ACT Relating to donations to the prescription drug donation  
2 program; amending RCW 69.70.020; and declaring an emergency.

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

4            **Sec. 1.** RCW 69.70.020 and 2016 c 43 s 2 are each amended to read  
5 as follows:

6            (1) Any practitioner, pharmacist, medical facility, drug  
7 manufacturer, or drug wholesaler may donate prescription drugs and  
8 supplies to a pharmacy for redistribution without compensation or the  
9 expectation of compensation to individuals who meet the  
10 prioritization criteria established in RCW 69.70.040. Donations of  
11 prescription drugs and supplies may be made on the premises of a  
12 pharmacy that elects to participate in the provisions of this  
13 chapter. A pharmacy that receives prescription drugs or supplies may  
14 distribute the prescription drugs or supplies to another pharmacy,  
15 pharmacist, or prescribing practitioner for use pursuant to the  
16 program.

17            (2) The person to whom a prescription drug was prescribed, or the  
18 person's representative, may donate prescription drugs under  
19 subsection (1) of this section if, as determined by the professional  
20 judgment of a pharmacist, (~~the~~) prescription drugs:

1       (a) Equipped with a time temperature indicator at the point of  
2 manufacture were stored under required temperature conditions using  
3 the prescription drugs' time temperature indicator information and  
4 the person, or the person's representative, has completed and signed  
5 a donor form, adopted by the department, to release the prescription  
6 drug for distribution under this chapter and certifying that the  
7 donated prescription drug has never been opened, used, adulterated,  
8 or misbranded; or

9       (b) Not equipped with a time temperature indicator at the point  
10 of manufacture, were properly stored and the person, or the person's  
11 representative, has completed and signed a donor form, adopted by the  
12 department, to release the prescription drugs for distribution under  
13 this chapter and certified that the donated prescription drugs have  
14 never been opened, used, adulterated, or misbranded. The donor form  
15 must require that the person, or the person's representative, attest  
16 that the donated prescription drugs have been stored in a manner and  
17 location that adheres to the conditions established by the  
18 manufacturer.

19       NEW SECTION.   **Sec. 2.**   This act is necessary for the immediate  
20 preservation of the public peace, health, or safety, or support of  
21 the state government and its existing public institutions, and takes  
22 effect immediately.

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