
SUBSTITUTE HOUSE BILL 1852

State of Washington

67th Legislature

2022 Regular Session

By House Health Care & Wellness (originally sponsored by Representatives Thai, Cody, Gregerson, Macri, Santos, Slatter, Valdez, Pollet, and Riccelli)

READ FIRST TIME 02/02/22.

1 AN ACT Relating to language requirements for prescription drug
2 labels; amending RCW 18.64.390; and adding a new section to chapter
3 18.64 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.64
6 RCW to read as follows:

7 (1) By July 1, 2024, the commission shall adopt rules
8 establishing the requirements for the translation of prescription
9 drug labels and prescription information. At a minimum, the rules
10 must require the translation of the directions for use and any
11 auxiliary warnings that would otherwise be included on the
12 prescription drug label. Rules adopted under this section must
13 establish the following:

14 (a) The languages for which translation is required;

15 (b) The elements of a prescription drug label or other
16 information, such as information sheets or side effects, that must be
17 translated;

18 (c) The pharmacies and settings that the translation requirements
19 apply to;

20 (d) The process for procuring or providing the translations;

1 (e) When a pharmacy or nonresident pharmacy must provide the
2 translated prescription information; and

3 (f) Any signage that a pharmacy must post to notify consumers of
4 the availability of translated prescription information.

5 (2) When adopting rules establishing the languages for which
6 translation is required, the commission shall choose up to 15
7 languages and must:

8 (a) Consult with the Washington state office of equity and the
9 governor's interagency council on health disparities;

10 (b) Consider the percent of the population in Washington that
11 speaks the language, that population's access to health care, and
12 principles of equity; and

13 (c) At least every 10 years, reassess and update the languages as
14 needed based upon the factors listed in (b) of this subsection.

15 (3) The commission may contract with a state or nonstate entity
16 to implement and administer this section.

17 (4) For purposes of compliance with this section, a pharmacy or
18 nonresident pharmacy is not required to provide translated
19 prescription information beyond what is required by the commission in
20 rule.

21 (5) Nothing in this section shall be construed to prohibit a
22 pharmacy or nonresident pharmacy from providing translated directions
23 for use, auxiliary warnings, side effects, or other prescription
24 information beyond the languages selected by the commission or to a
25 greater extent than required by the commission.

26 (6) This section applies only to outpatient prescriptions
27 dispensed for home use that are intended for human use.

28 (7) This section does not apply to:

29 (a) Prepackaged emergency medications as provided in RCW
30 70.41.480; and

31 (b) Opioid overdose reversal medication distributed pursuant to
32 RCW 70.41.485 and 71.24.594.

33 (8) The commission may adopt any rules:

34 (a) Necessary to implement and administer this section; and

35 (b) Establishing other accessibility requirements for individuals
36 who are blind, low vision, or otherwise print disabled for
37 prescription drug labels and prescription information.

38 (9) For purposes of this section, an "auxiliary warning" or
39 "advisory label" is a cautionary warning label added onto a dispensed
40 prescription drug label by a pharmacist in addition to the required

1 prescription drug label to provide extra information to the patient
2 on the safe administration, use, and storage of the prescription.

3 **Sec. 2.** RCW 18.64.390 and 2013 c 19 s 23 are each amended to
4 read as follows:

5 (1) The commission may deny, revoke, or suspend a nonresident
6 pharmacy license or impose a fine not to exceed (~~one thousand~~
7 ~~dollars~~) \$1,000 per violation for failure to comply with any
8 requirement of RCW 18.64.350 through 18.64.400 and section 1 of this
9 act.

10 (2) The commission may deny, revoke, or suspend a nonresident
11 pharmacy license or impose a fine not to exceed (~~one thousand~~
12 ~~dollars~~) \$1,000 per violation for conduct that causes serious bodily
13 or psychological injury to a resident of this state if the secretary
14 has referred the matter to the regulatory or licensing agency in the
15 state in which the pharmacy is located and that regulatory or
16 licensing agency fails to initiate an investigation within (~~forty-~~
17 ~~five~~) 45 days of the referral under this subsection or fails to make
18 a determination on the referral.

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