

HOUSE BILL REPORT

SHB 1909

As Passed House:

February 6, 2024

Title: An act relating to the membership of the pharmacy quality assurance commission.

Brief Description: Adjusting the membership of the pharmacy quality assurance commission.

Sponsors: House Committee on Health Care & Wellness (originally sponsored by Representatives Low, Ramel, Schmidt, Timmons and Schmick).

Brief History:

Committee Activity:

Health Care & Wellness: 1/9/24, 1/24/24 [DPS].

Floor Activity:

Passed House: 2/6/24, 97-0.

Brief Summary of Substitute Bill

- Permits one of the members of the Pharmacy Quality Assurance Commission to be either a pharmacist or a member of the public who is the owner, operator, or officer of a pharmacy.

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 Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske, Caldier, Davis, Graham, Harris, Macri, Maycumber, Mosbrucker, Orwall, Simmons, Stonier, Thai and Tharinger.

Staff: Carter Gale (786-7290) and Jim Morishima (786-7191).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Background:

The Pharmacy Quality Assurance Commission (Commission) regulates the practice of pharmacy, including qualifications for the licensure of pharmacists and pharmacy interns. It suggests strategies concerning drug misuse, diversion, and abuse. It promulgates rules concerning drugs and devices.

The Commission consists of 15 members. All members are residents of Washington and are appointed by the Governor, with the advice and consent of the Senate. Each member serves a four-year term and may only serve two terms at most. Ten members are pharmacists, one is a pharmacy technician, and four are public members. Pharmacist members shall have been a registered pharmacist in Washington for the five years prior to their appointment. Public members may not be "affiliated with any aspect of pharmacy."

Summary of Substitute Bill:

One of the ten seats reserved for pharmacist members of the Commission may either be filled by a pharmacist member, or a public member who is an owner, operator, or officer of a pharmacy. The public member may not be licensed as a pharmacist or pharmacy technician.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Under current law, the only residents who cannot sit on the Commission are those who are not pharmacists or pharmacy technicians but are affiliated with a pharmacy by being an owner, operator, or officer of a pharmacy. Members of this group offer an important and unrepresented perspective about the duties of the Commission and are directly impacted by the Commission's activities. The Commission's membership is also regularly unfilled, and expanding who may sit on the Commission ensures more participation. It is important that this perspective is represented, not necessarily that the member is one of the four designated public members.

(Opposed) The Commission regulates the practice of pharmacy, and the key to those duties is protecting members of the public from harm done by pharmacists, pharmacy technicians, and the owners, operators, and officers of pharmacies. The four public members of the commission are supposed to represent the clients of pharmacies and pharmacists, and allowing one of those public members to be affiliated with a pharmacy undermines the

important check on the other members of the commission. The ten members of the commission who are pharmacists also already represent the perspective of pharmacy owners, operators, and officers. It would be better to have one of those ten seats available for an owner, operator, or officer who is not a pharmacist, but it is not ideal.

Persons Testifying: (In support) Representative Sam Low, prime sponsor; Rick Hughes, Ray's Pharmacy; and Jenny Arnold, Washington State Pharmacy Association.

(Opposed) Ken Kenyon, Washington State Pharmacy Quality Assurance Commission.

Persons Signed In To Testify But Not Testifying: None.