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**SUBSTITUTE SENATE BILL 5213**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senate Health & Long Term Care (originally sponsored by Senators Kuderer, Short, Cleveland, Conway, Dhingra, Rolfes, Wellman, and C. Wilson)

READ FIRST TIME 02/17/23.

1 AN ACT Relating to pharmacy benefit managers' utilizations of  
2 nonresident pharmacies; and adding a new section to chapter 48.200  
3 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 48.200  
6 RCW to read as follows:

7 (1) A pharmacy benefit manager must receive affirmative  
8 authorization from a covered person before filling a prescription  
9 through a nonresident pharmacy.

10 (2) If a covered person chooses to fill a prescription through a  
11 nonresident pharmacy, the pharmacy benefit manager shall ensure the  
12 covered person has easy and timely access to prescription counseling  
13 by a pharmacist and shall have consumer safeguard processes including  
14 management of medication distribution and shipping logistics.

15 (3) If a covered person chooses to fill a prescription through a  
16 nonresident pharmacy, the pharmacy benefit manager shall allow for  
17 dispensing at local network pharmacies under the following  
18 circumstances to ensure patient access to prescription drugs:

19 (a) If the prescription is delayed by more than one day; or

20 (b) If the prescription drug arrives in an unusable condition.

1           (4) For the purposes of this section, "nonresident pharmacy" has  
2 the same meaning as in RCW 18.64.360.

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