
HOUSE BILL 1124

State of Washington

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By Representatives Simmons, Macri, Senn, Stonier, Ormsby, Tharinger, Kloba, Duerr, Ryu, Morgan, Reed, Callan, Obras, Doglio, Ortiz-Self, Goodman, Reeves, and Hill

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1 AN ACT Relating to establishing a prescribing psychologist
2 certification in Washington state; amending RCW 18.83.010, 18.83.035,
3 18.83.050, 18.83.050, 18.83.080, 18.83.080, 18.83.090, 18.79.260,
4 18.79.260, and 69.50.101; reenacting and amending RCW 18.64.011;
5 adding new sections to chapter 18.83 RCW; creating a new section;
6 providing effective dates; and providing expiration dates.

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

8 NEW SECTION. **Sec. 1.** The legislature finds that:

9 (1) One in five adults in Washington experience a mental illness
10 each year;

11 (2) More than half of people with a mental health condition did
12 not receive any treatment in the last year;

13 (3) The association of American medical colleges forecasts a
14 long-term and persistent shortage of doctors, including specialty
15 providers, in a 2021 report;

16 (4) Other states, the department of defense, and the Indian
17 health service have all successfully credentialed prescribing
18 psychologists to safely prescribe psychotropic medications; and

19 (5) Washington residents will benefit from increased access and
20 decreased costs by creating a new credential for prescribing
21 psychology.

1 **Sec. 2.** RCW 18.83.010 and 1994 c 35 s 1 are each amended to read
2 as follows:

3 (~~When used in this chapter:~~

4 ~~(1) The "practice")) The definitions in this section apply
5 throughout this chapter unless the context clearly requires
6 otherwise.~~

7 (1) "Board" means the examining board of psychology.

8 (2) "Clinical experience" means a period of supervised clinical
9 training and practice conducted as part of a training program in
10 which clinical diagnoses and interventions are learned.

11 (3) "Department" means the department of health.

12 (4) "Practice of psychology" means the observation, evaluation,
13 interpretation, and modification of human behavior by the application
14 of psychological principles, methods, and procedures for the purposes
15 of preventing or eliminating symptomatic or maladaptive behavior and
16 promoting mental and behavioral health. It includes, but is not
17 limited to, providing the following services to individuals,
18 families, groups, organizations, and the public, whether or not
19 payment is received for services rendered:

20 (a) Psychological measurement, assessment, and evaluation by
21 means of psychological, neuropsychological, and psychoeducational
22 testing;

23 (b) Diagnosis and treatment of mental, emotional, and behavioral
24 disorders, and psychological aspects of illness, injury, and
25 disability; and

26 (c) Counseling and guidance, psychotherapeutic techniques,
27 remediation, health promotion, and consultation within the context of
28 established psychological principles and theories.

29 This definition does not include the teaching of principles of
30 psychology for accredited educational institutions, or the conduct of
31 research in problems of human or animal behavior.

32 Nothing in this definition shall be construed as permitting the
33 administration or prescribing of drugs except as allowed in this
34 chapter or in any way infringing upon the practice of medicine and
35 surgery as defined in chapter 18.71 RCW.

36 (~~(2))~~ (5) "Prescribing psychologist" means a person who holds
37 an active license to engage in the practice of psychology under this
38 chapter and an active certificate as a prescribing psychologist under
39 section 3 of this act, and is limited by the restrictions under
40 section 4 of this act.

1 (6) "Prescription" has the same meaning as defined in RCW
2 18.64.011.

3 (7) "Prescriptive authority" means the authority of a prescribing
4 psychologist to prescribe, administer, discontinue, and distribute
5 psychotropic medications recognized or customarily used in the
6 diagnosis, treatment, and management of individuals with psychiatric,
7 mental, cognitive, nervous, emotional, developmental, or behavioral
8 disorders identified in the most recent edition of a widely accepted
9 classification system of mental disorders, as identified by the
10 secretary. The term includes ordering and obtaining necessary
11 laboratory tests, procedures, imaging, and diagnostic examinations.

12 (8) "Psychotropic medication" means substances recognized as
13 drugs, including controlled substances used to treat mental
14 illnesses, in the official United States pharmacopoeia, official
15 homeopathic pharmacopeia of the United States, official national
16 formulary, or any respective supplement to those publications.

17 (9) "Secretary" means the secretary of health.

18 ~~((3) "Board" means the examining board of psychology.~~

19 ~~(4) "Department" means the department of health.))~~

20 NEW SECTION. Sec. 3. A new section is added to chapter 18.83
21 RCW to read as follows:

22 (1) A psychologist licensed under this chapter may apply for
23 certification as a prescribing psychologist.

24 (2) The board shall certify an applicant as a prescribing
25 psychologist if the applicant demonstrates to the board, by official
26 transcript or other official evidence satisfactory to the board, that
27 the applicant:

28 (a) Holds a current license as a psychologist under this chapter;

29 (b) Holds a doctorate degree obtained from an integrated program
30 of graduate study in psychology, as defined in rule by the board;

31 (c) Has successfully completed a designated master's degree
32 program in clinical psychopharmacology that meets the criteria
33 established in subsection (3) of this section;

34 (d) Has successfully completed at least 80 hours of supervised
35 clinical experience in physical assessment, including physical
36 examinations with instruction in the proper use of instruments used
37 in physical examination, supervised by a medical provider licensed to
38 conduct independent physical assessments;

1 (e) Has successfully completed a clinical prescribing fellowship
2 under the supervision of a qualified supervisor including clinical
3 experience sufficient to attain competency in the
4 psychopharmacological treatment of a diverse patient population, to
5 be comprised of no less than 500 hours and 100 individual patients.
6 Qualified supervisors are licensed health care providers with
7 specialized training and experience in the management of psychotropic
8 medication who are licensed in Washington state or pursuant to a
9 substantially equivalent licensing provision of the law of another
10 state, as established by the board, including physicians, osteopathic
11 physicians, psychiatric nurse practitioners, or prescribing
12 psychologists; and

13 (f) Has passed an examination relevant to establishing competence
14 for prescribing as developed by a nationally recognized organization
15 and approved by the board.

16 (3) A designated master's degree program in clinical
17 psychopharmacology must be an accredited program within a regionally
18 accredited institution of higher education approved by the United
19 States department of education, satisfy requirements for designation
20 established by the board, and be substantially equivalent to the
21 training required of advanced practice psychiatric nurses. The board
22 may use the standards of an association which publishes relevant
23 education and training program standards such as the American
24 psychological association. The didactic portion of the program shall
25 include at least two years of education, a minimum of 400 contact
26 hours, or the equivalent thereof, and include sufficient biomedical
27 education to ensure the necessary knowledge and skills to prescribe
28 psychotropic medications in a safe and effective manner, including
29 but not limited to:

30 (a) Science prerequisites, including human anatomy and human
31 physiology, and a course in biology;

32 (b) Basic science, including human anatomy, human physiology,
33 biochemistry, and genetics;

34 (c) Functional neuroscience, including neuroanatomy,
35 neurophysiology, and neurochemistry;

36 (d) Physical examinations, including the measurement and
37 interpretation of vital signs and neurological, cardiovascular,
38 respiratory, abdominal, eye, ear, nose, throat, gastrointestinal,
39 genitourinary, integumentary, allergic and immunologic, and
40 musculoskeletal examinations;

1 (e) Interpretation of laboratory tests, including therapeutic
2 drug monitoring, blood and urine tests, radiology, electrocardiogram,
3 brain electrophysiology, neuroimaging techniques, and applied
4 genetics;

5 (f) Pathological basis of disease, including pathophysiology of
6 common clinical cardiovascular, respiratory, gastrointestinal,
7 hepatic, neurological, and endocrine conditions;

8 (g) Clinical medicine, including clinical manifestations,
9 differential diagnosis, laboratory or radiological evaluation of
10 commonly encountered medical conditions such as patients with complex
11 medical needs and comorbidities, and medical emergencies and their
12 management;

13 (h) Clinical neurotherapeutics, including electrophysiology,
14 electroconvulsive therapy, and noninvasive interventions, such as
15 transcranial magnetic stimulation, neurofeedback, and biofeedback;

16 (i) Systems of care, including coordination of care with other
17 medical specialties, consultations and referrals, and coordination
18 and consultation in long-term care;

19 (j) Pharmacology, including pharmacokinetics and drug delivery
20 systems, pharmacodynamics, neuropharmacology, toxicology, and
21 mechanisms of medication interactions;

22 (k) Clinical pharmacology, including major drug classes and
23 nutritional supplements;

24 (l) Psychopharmacology, including sedatives and hypnotics,
25 antidepressants, antipsychotics, mood stabilizers, anxiolytics,
26 stimulants, medications for substance use disorders, medications for
27 drug adverse effects, pediatric psychopharmacology, geriatric
28 psychopharmacology, medications for cognitive impairment and
29 polypharmacy, issues of diversity and cultural competence in
30 pharmacological practice, clinical decision making and standard
31 practice guidelines, and guidelines for prescribing controlled
32 substances;

33 (m) Psychopharmacology research, including phases of drug
34 development, clinical trials in psychiatry, and critical evaluation
35 of evidence; and

36 (n) Professional, ethical, and legal issues, including conflicts
37 of interest and relationships with the industry, scope of practice
38 issues, diversity and equity issues related to treatment access and
39 adherence, and documentation issues, including nomenclature,
40 abbreviations, and prescription writing.

1 (4) The board may waive certain requirements for applicants who
2 have obtained relevant training and experience, including
3 psychologists who are dually licensed as physicians, nurse
4 practitioners, or other health professionals with comparable
5 prescriptive authority in Washington.

6 (5) The board may offer a certificate in prescriptive authority
7 by endorsement to an applicant who has a current and unrestricted
8 license to practice psychology and either a current and unrestricted
9 certificate in prescriptive authority from another state, or training
10 from the United States department of defense demonstration project or
11 other similar program developed and operated by any branch of the
12 armed forces that imposes substantially equivalent educational and
13 training requirements as those contained in this chapter and required
14 by the board. Upon payment of the required fees, compliance with
15 relevant statutory provisions, and the approval of the application,
16 the applicant may be certified by endorsement pursuant to this
17 chapter. The board may consider an applicant's experience in
18 prescribing in another state as meeting a portion of the requirements
19 necessary to obtain provisional certification or certification under
20 this chapter, but also shall require additional education and
21 supervision if the board deems it necessary to meet the education and
22 training requirements imposed by this chapter.

23 (6) A certificate issued under this section may be renewed in
24 accordance with RCW 18.83.090.

25 (7) The secretary shall establish the administrative procedures,
26 administrative requirements, and fees for the certificate as provided
27 in RCW 43.70.250 and 43.70.280.

28 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.83
29 RCW to read as follows:

30 (1) The prescriptive authority of a prescribing psychologist is
31 limited to prescribing, administering, discontinuing, and
32 distributing psychotropic medications recognized or customarily used
33 in the diagnosis, treatment, and management of individuals with
34 psychiatric, mental, cognitive, nervous, emotional, developmental, or
35 behavioral disorders identified in the most recent edition of a
36 widely accepted classification system of mental disorders, as
37 identified by the secretary. A prescribing psychologist may order and
38 obtain necessary laboratory tests, procedures, imaging, and
39 diagnostic examinations necessary to exercise this prescriptive

1 authority. A psychologist who is not a prescribing psychologist may
2 not exercise this prescriptive authority.

3 (2) When prescribing psychotropic medication for a patient, a
4 prescribing psychologist must maintain an ongoing collaborative
5 relationship with a health care practitioner who oversees the
6 patient's general medical care to ensure that necessary medical
7 examinations are conducted and that the psychotropic medication is
8 appropriate for the patient's medical condition. The prescribing
9 psychologist and the health care practitioner must coordinate the
10 patient's ongoing care.

11 (3) A prescribing psychologist may not prescribe opioid
12 medications except for medications appropriate for treatment of an
13 opioid use disorder which are prescribed for the purpose of treatment
14 of such a disorder.

15 (4) Each prescription issued by a prescribing psychologist must
16 comply with applicable state and federal laws and regulations and be
17 identified as written by the prescribing psychologist in a manner
18 determined by the board.

19 (5) A prescribing psychologist shall ensure that a record of all
20 prescriptions made by the prescribing psychologist is maintained in
21 the patient's record.

22 (6) A prescribing psychologist may not delegate the authority to
23 prescribe drugs or controlled substances to any other person.

24 **Sec. 5.** RCW 18.83.035 and 2022 c 240 s 10 are each amended to
25 read as follows:

26 There is created the examining board of psychology which shall
27 examine the qualifications of applicants for licensing. The board
28 shall consist of nine psychologists, one expert on psychiatric
29 prescribing, and two public members, all appointed by the governor.
30 The public members shall not be and have never been psychologists or
31 in training to be psychologists; they may not have any household
32 member who is a psychologist or in training to be a psychologist;
33 they may not participate or ever have participated in a commercial or
34 professional field related to psychology, nor have a household member
35 who has so participated; and they may not have had within two years
36 before appointment a substantial financial interest in a person
37 regulated by the board. Each psychologist member of the board shall
38 have actively practiced psychology in the state of Washington for at
39 least three years immediately preceding appointment and (~~who is~~) be

1 licensed under this chapter. The member who is an expert on
2 psychiatric prescribing must have specialized training and experience
3 in the management of psychotropic medication and be a prescribing
4 psychologist, physician, osteopathic physician with special knowledge
5 of psychopharmacology, psychiatric nurse practitioner, or pharmacist
6 with expertise in psychopharmacology. Board members shall be
7 appointed for a term of five years, except that the terms of the
8 existing appointees shall be adjusted by the governor so that no more
9 than two members' terms expire each year with all subsequent
10 appointments for a five-year term. Upon the death, resignation, or
11 removal of a member, the governor shall appoint a successor to serve
12 for the unexpired term. The board shall elect one of its members to
13 serve as chairperson.

14 **Sec. 6.** RCW 18.83.050 and 2024 c 371 s 3 are each amended to
15 read as follows:

16 (1) The board shall adopt such rules as it deems necessary to
17 carry out its functions.

18 (2) The board shall examine the qualifications of applicants for
19 licensing under this chapter, to determine which applicants are
20 eligible for licensing under this chapter and shall forward to the
21 secretary the names of applicants so eligible.

22 (3) The board shall administer examinations to qualified
23 applicants on at least an annual basis. The board shall determine the
24 subject matter and scope of the examination, except as provided in
25 RCW 18.83.170. The board may allow applicants to take the examination
26 upon the granting of their doctoral degree before completion of their
27 internship for supervised experience.

28 (4) The board shall:

29 (a) Develop and implement procedures for reviewing the education
30 and training credentials of applicants for certification as a
31 prescribing psychologist;

32 (b) Adopt rules, in consultation with the Washington medical
33 commission, to establish standards for the certification of
34 prescribing psychologists in accordance with section 3 of this act
35 and for their exercise of prescriptive authority under this chapter;
36 and

37 (c) Adopt rules for denying, modifying, suspending, or revoking
38 the certification of a prescribing psychologist. The board may
39 require remediation of any deficiencies in the training or practice

1 pattern of the prescribing psychologist when, in the judgment of the
2 board, such deficiencies could reasonably be expected to jeopardize
3 the health, safety, or welfare of the public.

4 (5) The board shall maintain a current list of each prescribing
5 psychologist's license and certification numbers.

6 (6) The board shall keep a complete record of its own
7 proceedings, of the questions given in examinations, of the names and
8 qualifications of all applicants, and the names and addresses of all
9 licensed psychologists and licensed psychological associates. The
10 examination paper of such applicant shall be kept on file for a
11 period of at least one year after examination.

12 ~~((+5))~~ (7) The board shall, by rule, adopt a code of ethics for
13 psychologists and licensed psychological associates which is designed
14 to protect the public interest.

15 ~~((+6))~~ (8) The board may require that persons licensed under
16 this chapter as psychologists or licensed psychological associates
17 obtain and maintain professional liability insurance in amounts
18 determined by the board to be practicable and reasonably available.

19 **Sec. 7.** RCW 18.83.050 and 2024 c 371 s 3 are each amended to
20 read as follows:

21 (1) The board shall adopt such rules as it deems necessary to
22 carry out its functions.

23 (2) The board shall examine the qualifications of applicants for
24 licensing under this chapter, to determine which applicants are
25 eligible for licensing under this chapter and shall forward to the
26 secretary the names of applicants so eligible.

27 (3) The board shall administer examinations to qualified
28 applicants on at least an annual basis. The board shall determine the
29 subject matter and scope of the examination, except as provided in
30 RCW 18.83.170. The board may allow applicants to take the examination
31 upon the granting of their doctoral degree before completion of their
32 internship for supervised experience.

33 (4) The board shall:

34 (a) Develop and implement procedures for reviewing the education
35 and training credentials of applicants for certification as a
36 prescribing psychologist;

37 (b) Adopt rules, in consultation with the Washington medical
38 commission, to establish standards for the certification of
39 prescribing psychologists in accordance with section 3 of this act

1 and for their exercise of prescriptive authority under this chapter;
2 and

3 (c) Adopt rules for denying, modifying, suspending, or revoking
4 the certification of a prescribing psychologist. The board may
5 require remediation of any deficiencies in the training or practice
6 pattern of the prescribing psychologist when, in the judgment of the
7 board, such deficiencies could reasonably be expected to jeopardize
8 the health, safety, or welfare of the public.

9 (5) The board shall maintain a current list of each prescribing
10 psychologist's license and certification numbers.

11 (6) The board shall keep a complete record of its own
12 proceedings, of the questions given in examinations, of the names and
13 qualifications of all applicants, and the names and addresses of all
14 licensed psychologists. The examination paper of such applicant shall
15 be kept on file for a period of at least one year after examination.

16 ~~((+5))~~ (7) The board shall, by rule, adopt a code of ethics for
17 psychologists which is designed to protect the public interest.

18 ~~((+6))~~ (8) The board may require that persons licensed under
19 this chapter as psychologists obtain and maintain professional
20 liability insurance in amounts determined by the board to be
21 practicable and reasonably available.

22 **Sec. 8.** RCW 18.83.080 and 1996 c 191 s 66 are each amended to
23 read as follows:

24 The board shall forward to the secretary the name of each
25 applicant entitled to a license or certificate under this chapter.
26 The secretary shall promptly issue to such applicant a license
27 authorizing such applicant to use the title "psychologist"~~((+))~~ or a
28 certificate authorizing the applicant to use the title "prescribing
29 psychologist." Each licensed psychologist shall keep his or her
30 license and, if applicable, prescribing psychologist certificate
31 displayed in a conspicuous place in his or her principal place of
32 business.

33 **Sec. 9.** RCW 18.83.080 and 2024 c 371 s 4 are each amended to
34 read as follows:

35 The board shall forward to the secretary the name of each
36 applicant entitled to a license or certificate under this chapter.
37 The secretary shall promptly issue to such applicant a license
38 authorizing such applicant to use the title "psychologist" or

1 "licensed psychological associate((→))" or a certificate authorizing
2 the applicant to use the title "prescribing psychologist." Each
3 licensed psychologist or licensed psychological associate shall keep
4 his or her license and, if applicable, prescribing psychologist
5 certificate displayed in a conspicuous place in his or her principal
6 place of business.

7 **Sec. 10.** RCW 18.83.090 and 2009 c 492 s 6 are each amended to
8 read as follows:

9 (1) The board shall establish rules governing mandatory
10 continuing education requirements which shall be met by any
11 psychologist applying for a license or prescribing psychologist
12 certificate renewal.

13 (2) The office of crime victims advocacy shall supply the board
14 with information on methods of recognizing victims of human
15 trafficking, what services are available for these victims, and where
16 to report potential trafficking situations. The information supplied
17 must be culturally sensitive and must include information relating to
18 minor victims. The board shall disseminate this information to
19 licensees by: Providing the information on the board's website;
20 including the information in newsletters; holding trainings at
21 meetings attended by organization members; or ~~((through another))~~
22 using other distribution methods determined by the board. The board
23 shall report to the office of crime victims advocacy on the method or
24 methods it uses to distribute information under this subsection.

25 (3) Administrative procedures, administrative requirements, and
26 fees for renewal and reissue of licenses and certificates shall be
27 established as provided in RCW 43.70.250 and 43.70.280.

28 (4)(a) The board shall establish rules for the renewal of a
29 prescribing psychologist certificate issued under section 3 of this
30 act at the time of the renewal of the psychologist's license to
31 practice psychology.

32 (b) Each applicant for renewal of a prescribing psychologist
33 certificate shall present satisfactory evidence to the board
34 demonstrating the completion of continuing education instruction
35 relevant to prescriptive authority during the previous three-year
36 renewal period.

37 **Sec. 11.** RCW 18.64.011 and 2024 c 121 s 30 are each reenacted
38 and amended to read as follows:

1 The definitions in this section apply throughout this chapter
2 unless the context clearly requires otherwise.

3 (1) "Administer" means the direct application of a drug or
4 device, whether by injection, inhalation, ingestion, or any other
5 means, to the body of a patient or research subject.

6 (2) "Business licensing system" means the mechanism established
7 by chapter 19.02 RCW by which business licenses, endorsed for
8 individual state-issued licenses, are issued and renewed utilizing a
9 business license application and a business license expiration date
10 common to each renewable license endorsement.

11 (3) "Chart order" means a lawful order for a drug or device
12 entered on the chart or medical record of an inpatient or resident of
13 an institutional facility by a practitioner or his or her designated
14 agent.

15 (4) "Closed door long-term care pharmacy" means a pharmacy that
16 provides pharmaceutical care to a defined and exclusive group of
17 patients who have access to the services of the pharmacy because they
18 are treated by or have an affiliation with a long-term care facility
19 or hospice program, and that is not a retailer of goods to the
20 general public.

21 (5) "Commission" means the pharmacy quality assurance commission.

22 (6) "Compounding" means the act of combining two or more
23 ingredients in the preparation of a prescription. Reconstitution and
24 mixing of (a) sterile products according to federal food and drug
25 administration-approved labeling does not constitute compounding if
26 prepared pursuant to a prescription and administered immediately or
27 in accordance with package labeling, and (b) nonsterile products
28 according to federal food and drug administration-approved labeling
29 does not constitute compounding if prepared pursuant to a
30 prescription.

31 (7) "Controlled substance" means a drug or substance, or an
32 immediate precursor of such drug or substance, so designated under or
33 pursuant to the provisions of chapter 69.50 RCW.

34 (8) "Deliver" or "delivery" means the actual, constructive, or
35 attempted transfer from one person to another of a drug or device,
36 whether or not there is an agency relationship.

37 (9) "Department" means the department of health.

38 (10) "Device" means instruments, apparatus, and contrivances,
39 including their components, parts, and accessories, intended (a) for
40 use in the diagnosis, cure, mitigation, treatment, or prevention of

1 disease in human beings or other animals, or (b) to affect the
2 structure or any function of the body of human beings or other
3 animals.

4 (11) "Directed plan of correction" means a plan devised by the
5 commission that includes specific actions that must be taken to
6 correct identified unresolved deficiencies with time frames to
7 complete them.

8 (12) "Dispense" means the interpretation of a prescription or
9 order for a drug, biological, or device and, pursuant to that
10 prescription or order, the proper selection, measuring, compounding,
11 labeling, or packaging necessary to prepare that prescription or
12 order for delivery.

13 (13) "Distribute" means the delivery of a drug or device other
14 than by administering or dispensing.

15 (14) "Drug" and "devices" do not include surgical or dental
16 instruments or laboratory materials, gas and oxygen, therapy
17 equipment, X-ray apparatus or therapeutic equipment, their component
18 parts or accessories, or equipment, instruments, apparatus, or
19 contrivances used to render such articles effective in medical,
20 surgical, or dental treatment, or for use or consumption in or for
21 mechanical, industrial, manufacturing, or scientific applications or
22 purposes. "Drug" also does not include any article or mixture covered
23 by the Washington pesticide control act (chapter 15.58 RCW), as
24 enacted or hereafter amended, nor medicated feed intended for and
25 used exclusively as a feed for animals other than human beings.

26 (15) "Drugs" means:

27 (a) Articles recognized in the official United States
28 pharmacopoeia or the official homeopathic pharmacopoeia of the United
29 States;

30 (b) Substances intended for use in the diagnosis, cure,
31 mitigation, treatment, or prevention of disease in human beings or
32 other animals;

33 (c) Substances (other than food) intended to affect the structure
34 or any function of the body of human beings or other animals; or

35 (d) Substances intended for use as a component of any substances
36 specified in (a), (b), or (c) of this subsection, but not including
37 devices or their component parts or accessories.

38 (16) "Health care entity" means an organization that provides
39 health care services in a setting that is not otherwise licensed by
40 the state to acquire or possess legend drugs. Health care entity

1 includes a freestanding outpatient surgery center, a residential
2 treatment facility, and a freestanding cardiac care center. "Health
3 care entity" does not include an individual practitioner's office or
4 a multipractitioner clinic, regardless of ownership, unless the owner
5 elects licensure as a health care entity. "Health care entity" also
6 does not include an individual practitioner's office or
7 multipractitioner clinic identified by a hospital on a pharmacy
8 application or renewal pursuant to RCW 18.64.043.

9 (17) "Hospice program" means a hospice program certified or paid
10 by medicare under Title XVIII of the federal social security act, or
11 a hospice program licensed under chapter 70.127 RCW.

12 (18) "Immediate jeopardy" means a situation in which a licensee's
13 noncompliance with one or more statutory or regulatory requirements
14 has placed the health and safety of individuals or animals at risk
15 for serious injury, serious harm, serious impairment, or death.

16 (19) "Institutional facility" means any organization whose
17 primary purpose is to provide a physical environment for patients to
18 obtain health care services including, but not limited to, services
19 in a hospital, long-term care facility, hospice program, mental
20 health facility, drug abuse treatment center, residential
21 habilitation center, or a local, state, or federal correction
22 facility.

23 (20) "Labeling" means the process of preparing and affixing a
24 label to any drug or device container. The label must include all
25 information required by current federal and state law and pharmacy
26 rules.

27 (21) "Legend drugs" means any drugs which are required by any
28 applicable federal or state law or regulation to be dispensed on
29 prescription only or are restricted to use by practitioners only.

30 (22) "License," "licensing," and "licensure" shall be deemed
31 equivalent to the terms "approval," "credential," "certificate,"
32 "certification," "permit," and "registration" and an "exemption"
33 issued under chapter 69.50 RCW.

34 (23) "Long-term care facility" means a nursing home licensed
35 under chapter 18.51 RCW, an assisted living facility licensed under
36 chapter 18.20 RCW, or an adult family home licensed under chapter
37 70.128 RCW.

38 (24) "Manufacture" means the production, preparation,
39 propagation, compounding, or processing of a drug or other substance
40 or device or the packaging or repackaging of such substance or

1 device, or the labeling or relabeling of the commercial container of
2 such substance or device, but does not include the activities of a
3 practitioner who, as an incident to his or her administration or
4 dispensing such substance or device in the course of his or her
5 professional practice, personally prepares, compounds, packages, or
6 labels such substance or device. "Manufacture" includes the
7 distribution of a licensed pharmacy compounded drug product to other
8 state licensed persons or commercial entities for subsequent resale
9 or distribution, unless a specific product item has approval of the
10 commission. The term does not include:

11 (a) The activities of a licensed pharmacy that compounds a
12 product on or in anticipation of an order of a licensed practitioner
13 for use in the course of their professional practice to administer to
14 patients, either personally or under their direct supervision;

15 (b) The practice of a licensed pharmacy when repackaging
16 commercially available medication in small, reasonable quantities for
17 a practitioner legally authorized to prescribe the medication for
18 office use only;

19 (c) The distribution of a drug product that has been compounded
20 by a licensed pharmacy to other appropriately licensed entities under
21 common ownership or control of the facility in which the compounding
22 takes place; or

23 (d) The delivery of finished and appropriately labeled compounded
24 products dispensed pursuant to a valid prescription to alternate
25 delivery locations, other than the patient's residence, when
26 requested by the patient, or the prescriber to administer to the
27 patient, or to another licensed pharmacy to dispense to the patient.

28 (25) "Manufacturer" means a person, corporation, or other entity
29 engaged in the manufacture of drugs or devices.

30 (26) "Nonlegend" or "nonprescription" drugs means any drugs which
31 may be lawfully sold without a prescription.

32 (27) "Person" means an individual, corporation, government,
33 governmental subdivision or agency, business trust, estate, trust,
34 partnership or association, or any other legal entity.

35 (28) "Pharmacist" means a person duly licensed by the commission
36 to engage in the practice of pharmacy.

37 (29) "Pharmacy" means every place properly licensed by the
38 commission where the practice of pharmacy is conducted.

39 (30) "Plan of correction" means a proposal devised by the
40 applicant or licensee that includes specific actions that must be

1 taken to correct identified unresolved deficiencies with the time
2 frames to complete them.

3 (31) "Poison" does not include any article or mixture covered by
4 the Washington pesticide control act (chapter 15.58 RCW), as enacted
5 or hereafter amended.

6 (32) "Practice of pharmacy" includes the practice of and
7 responsibility for: Interpreting prescription orders; the
8 compounding, dispensing, labeling, administering, and distributing of
9 drugs and devices; the monitoring of drug therapy and use; the
10 initiating or modifying of drug therapy in accordance with written
11 guidelines or protocols previously established and approved for his
12 or her practice by a practitioner authorized to prescribe drugs; the
13 participating in drug utilization reviews and drug product selection;
14 the proper and safe storing and distributing of drugs and devices and
15 maintenance of proper records thereof; the providing of information
16 on legend drugs which may include, but is not limited to, the
17 advising of therapeutic values, hazards, and the uses of drugs and
18 devices.

19 (33) "Practitioner" means a physician, dentist, veterinarian,
20 nurse, prescribing psychologist, or other person duly authorized by
21 law or rule in the state of Washington to prescribe drugs.

22 (34) "Prescription" means an order for drugs or devices issued by
23 a practitioner duly authorized by law or rule in the state of
24 Washington to prescribe drugs or devices in the course of his or her
25 professional practice for a legitimate medical purpose.

26 (35) "Secretary" means the secretary of health or the secretary's
27 designee.

28 (36) "Shared pharmacy services" means a system that allows a
29 participating pharmacist or pharmacy pursuant to a request from
30 another participating pharmacist or pharmacy to process or fill a
31 prescription or drug order, which may include but is not necessarily
32 limited to preparing, packaging, labeling, data entry, compounding
33 for specific patients, dispensing, performing drug utilization
34 reviews, conducting claims adjudication, obtaining refill
35 authorizations, reviewing therapeutic interventions, or reviewing
36 chart orders.

37 (37) "Statement of deficiency" means a written statement of the
38 deficiencies prepared by the commission, or its designee, identifying
39 one or more violations of law. The report clearly identifies the

1 specific law or rule that has been violated along with a description
2 of the reasons for noncompliance.

3 (38) "Wholesaler" means a corporation, individual, or other
4 entity which buys drugs or devices for resale and distribution to
5 corporations, individuals, or entities other than consumers.

6 **Sec. 12.** RCW 18.79.260 and 2022 c 14 s 2 are each amended to
7 read as follows:

8 (1) A registered nurse under his or her license may perform for
9 compensation nursing care, as that term is usually understood, to
10 individuals with illnesses, injuries, or disabilities.

11 (2) A registered nurse may, at or under the general direction of
12 a licensed physician and surgeon, dentist, osteopathic physician and
13 surgeon, naturopathic physician, optometrist, podiatric physician and
14 surgeon, physician assistant, advanced registered nurse practitioner,
15 prescribing psychologist, or midwife acting within the scope of his
16 or her license, administer medications, treatments, tests, and
17 inoculations, whether or not the severing or penetrating of tissues
18 is involved and whether or not a degree of independent judgment and
19 skill is required. Such direction must be for acts which are within
20 the scope of registered nursing practice.

21 (3) A registered nurse may delegate tasks of nursing care to
22 other individuals where the registered nurse determines that it is in
23 the best interest of the patient.

24 (a) The delegating nurse shall:

25 (i) Determine the competency of the individual to perform the
26 tasks;

27 (ii) Evaluate the appropriateness of the delegation;

28 (iii) Supervise the actions of the person performing the
29 delegated task; and

30 (iv) Delegate only those tasks that are within the registered
31 nurse's scope of practice.

32 (b) A registered nurse, working for a home health or hospice
33 agency regulated under chapter 70.127 RCW, may delegate the
34 application, instillation, or insertion of medications to a
35 registered or certified nursing assistant under a plan of care.

36 (c) Except as authorized in (b) or (e) of this subsection, a
37 registered nurse may not delegate the administration of medications.
38 Except as authorized in (e) or (f) of this subsection, a registered
39 nurse may not delegate acts requiring substantial skill, and may not

1 delegate piercing or severing of tissues. Acts that require nursing
2 judgment shall not be delegated.

3 (d) No person may coerce a nurse into compromising patient safety
4 by requiring the nurse to delegate if the nurse determines that it is
5 inappropriate to do so. Nurses shall not be subject to any employer
6 reprisal or disciplinary action by the (~~nursing care quality~~
7 ~~assurance commission~~) board for refusing to delegate tasks or
8 refusing to provide the required training for delegation if the nurse
9 determines delegation may compromise patient safety.

10 (e) For delegation in community-based care settings or in-home
11 care settings, a registered nurse may delegate nursing care tasks
12 only to registered or certified nursing assistants under chapter
13 18.88A RCW or home care aides certified under chapter 18.88B RCW.
14 Simple care tasks such as blood pressure monitoring, personal care
15 service, diabetic insulin device set up, verbal verification of
16 insulin dosage for sight-impaired individuals, or other tasks as
17 defined by the (~~nursing care quality assurance commission~~) board
18 are exempted from this requirement.

19 (i) "Community-based care settings" includes: Community
20 residential programs for people with developmental disabilities,
21 certified by the department of social and health services under
22 chapter 71A.12 RCW; adult family homes licensed under chapter 70.128
23 RCW; and assisted living facilities licensed under chapter 18.20 RCW.
24 Community-based care settings do not include acute care or skilled
25 nursing facilities.

26 (ii) "In-home care settings" include an individual's place of
27 temporary or permanent residence, but does not include acute care or
28 skilled nursing facilities, and does not include community-based care
29 settings as defined in (e)(i) of this subsection.

30 (iii) Delegation of nursing care tasks in community-based care
31 settings and in-home care settings is only allowed for individuals
32 who have a stable and predictable condition. "Stable and predictable
33 condition" means a situation in which the individual's clinical and
34 behavioral status is known and does not require the frequent presence
35 and evaluation of a registered nurse.

36 (iv) The determination of the appropriateness of delegation of a
37 nursing task is at the discretion of the registered nurse. Other than
38 delegation of the administration of insulin by injection for the
39 purpose of caring for individuals with diabetes, the administration

1 of medications by injection, sterile procedures, and central line
2 maintenance may never be delegated.

3 (v) When delegating insulin injections under this section, the
4 registered nurse delegator must instruct the individual regarding
5 proper injection procedures and the use of insulin, demonstrate
6 proper injection procedures, and must supervise and evaluate the
7 individual performing the delegated task as required by the
8 (~~commission~~) board by rule. If the registered nurse delegator
9 determines that the individual is competent to perform the injection
10 properly and safely, supervision and evaluation shall occur at an
11 interval determined by the (~~commission~~) board by rule.

12 (vi) (A) The registered nurse shall verify that the nursing
13 assistant or home care aide, as the case may be, has completed the
14 required core nurse delegation training required in chapter 18.88A or
15 18.88B RCW prior to authorizing delegation.

16 (B) Before commencing any specific nursing tasks authorized to be
17 delegated in this section, a home care aide must be certified
18 pursuant to chapter 18.88B RCW and must comply with RCW 18.88B.070.

19 (vii) The nurse is accountable for his or her own individual
20 actions in the delegation process. Nurses acting within the protocols
21 of their delegation authority are immune from liability for any
22 action performed in the course of their delegation duties.

23 (viii) Nursing task delegation protocols are not intended to
24 regulate the settings in which delegation may occur, but are intended
25 to ensure that nursing care services have a consistent standard of
26 practice upon which the public and the profession may rely, and to
27 safeguard the authority of the nurse to make independent professional
28 decisions regarding the delegation of a task.

29 (f) The delegation of nursing care tasks only to registered or
30 certified nursing assistants under chapter 18.88A RCW or to home care
31 aides certified under chapter 18.88B RCW may include glucose
32 monitoring and testing.

33 (g) The (~~nursing care quality assurance commission~~) board may
34 adopt rules to implement this section.

35 (4) Only a person licensed as a registered nurse may instruct
36 nurses in technical subjects pertaining to nursing.

37 (5) Only a person licensed as a registered nurse may hold herself
38 or himself out to the public or designate herself or himself as a
39 registered nurse.

1 **Sec. 13.** RCW 18.79.260 and 2024 c 239 s 15 are each amended to
2 read as follows:

3 (1) A registered nurse under his or her license may perform for
4 compensation nursing care, as that term is usually understood, to
5 individuals with illnesses, injuries, or disabilities.

6 (2) A registered nurse may, at or under the general direction of
7 a licensed physician and surgeon, dentist, osteopathic physician and
8 surgeon, naturopathic physician, optometrist, podiatric physician and
9 surgeon, physician assistant, advanced practice registered nurse,
10 prescribing psychologist, or midwife acting within the scope of his
11 or her license, administer medications, treatments, tests, and
12 inoculations, whether or not the severing or penetrating of tissues
13 is involved and whether or not a degree of independent judgment and
14 skill is required. Such direction must be for acts which are within
15 the scope of registered nursing practice.

16 (3) A registered nurse may delegate tasks of nursing care to
17 other individuals where the registered nurse determines that it is in
18 the best interest of the patient.

19 (a) The delegating nurse shall:

20 (i) Determine the competency of the individual to perform the
21 tasks;

22 (ii) Evaluate the appropriateness of the delegation;

23 (iii) Supervise the actions of the person performing the
24 delegated task; and

25 (iv) Delegate only those tasks that are within the registered
26 nurse's scope of practice.

27 (b) A registered nurse, working for a home health or hospice
28 agency regulated under chapter 70.127 RCW, may delegate the
29 application, instillation, or insertion of medications to a
30 registered or certified nursing assistant under a plan of care.

31 (c) Except as authorized in (b) or (e) of this subsection, a
32 registered nurse may not delegate the administration of medications.
33 Except as authorized in (e) or (f) of this subsection, a registered
34 nurse may not delegate acts requiring substantial skill, and may not
35 delegate piercing or severing of tissues. Acts that require nursing
36 judgment shall not be delegated.

37 (d) No person may coerce a nurse into compromising patient safety
38 by requiring the nurse to delegate if the nurse determines that it is
39 inappropriate to do so. Nurses shall not be subject to any employer
40 reprisal or disciplinary action by the board for refusing to delegate

1 tasks or refusing to provide the required training for delegation if
2 the nurse determines delegation may compromise patient safety.

3 (e) For delegation in community-based care settings or in-home
4 care settings, a registered nurse may delegate nursing care tasks
5 only to registered or certified nursing assistants under chapter
6 18.88A RCW or home care aides certified under chapter 18.88B RCW.
7 Simple care tasks such as blood pressure monitoring, personal care
8 service, diabetic insulin device set up, verbal verification of
9 insulin dosage for sight-impaired individuals, or other tasks as
10 defined by the board are exempted from this requirement.

11 (i) "Community-based care settings" includes: Community
12 residential programs for people with developmental disabilities,
13 certified by the department of social and health services under
14 chapter 71A.12 RCW; adult family homes licensed under chapter 70.128
15 RCW; and assisted living facilities licensed under chapter 18.20 RCW.
16 Community-based care settings do not include acute care or skilled
17 nursing facilities.

18 (ii) "In-home care settings" include an individual's place of
19 temporary or permanent residence, but does not include acute care or
20 skilled nursing facilities, and does not include community-based care
21 settings as defined in (e)(i) of this subsection.

22 (iii) Delegation of nursing care tasks in community-based care
23 settings and in-home care settings is only allowed for individuals
24 who have a stable and predictable condition. "Stable and predictable
25 condition" means a situation in which the individual's clinical and
26 behavioral status is known and does not require the frequent presence
27 and evaluation of a registered nurse.

28 (iv) The determination of the appropriateness of delegation of a
29 nursing task is at the discretion of the registered nurse. Other than
30 delegation of the administration of insulin by injection for the
31 purpose of caring for individuals with diabetes, the administration
32 of medications by injection, sterile procedures, and central line
33 maintenance may never be delegated.

34 (v) When delegating insulin injections under this section, the
35 registered nurse delegator must instruct the individual regarding
36 proper injection procedures and the use of insulin, demonstrate
37 proper injection procedures, and must supervise and evaluate the
38 individual performing the delegated task as required by the board by
39 rule. If the registered nurse delegator determines that the
40 individual is competent to perform the injection properly and safely,

1 supervision and evaluation shall occur at an interval determined by
2 the board by rule.

3 (vi) (A) The registered nurse shall verify that the nursing
4 assistant or home care aide, as the case may be, has completed the
5 required core nurse delegation training required in chapter 18.88A or
6 18.88B RCW prior to authorizing delegation.

7 (B) Before commencing any specific nursing tasks authorized to be
8 delegated in this section, a home care aide must be certified
9 pursuant to chapter 18.88B RCW and must comply with RCW 18.88B.070.

10 (vii) The nurse is accountable for his or her own individual
11 actions in the delegation process. Nurses acting within the protocols
12 of their delegation authority are immune from liability for any
13 action performed in the course of their delegation duties.

14 (viii) Nursing task delegation protocols are not intended to
15 regulate the settings in which delegation may occur, but are intended
16 to ensure that nursing care services have a consistent standard of
17 practice upon which the public and the profession may rely, and to
18 safeguard the authority of the nurse to make independent professional
19 decisions regarding the delegation of a task.

20 (f) The delegation of nursing care tasks only to registered or
21 certified nursing assistants under chapter 18.88A RCW or to home care
22 aides certified under chapter 18.88B RCW may include glucose
23 monitoring and testing.

24 (g) The board may adopt rules to implement this section.

25 (4) Only a person licensed as a registered nurse may instruct
26 nurses in technical subjects pertaining to nursing.

27 (5) Only a person licensed as a registered nurse may hold herself
28 or himself out to the public or designate herself or himself as a
29 registered nurse.

30 **Sec. 14.** RCW 69.50.101 and 2024 c 62 s 17 are each amended to
31 read as follows:

32 The definitions in this section apply throughout this chapter
33 unless the context clearly requires otherwise.

34 (1) "Administer" means to apply a controlled substance, whether
35 by injection, inhalation, ingestion, or any other means, directly to
36 the body of a patient or research subject by:

37 (a) a practitioner authorized to prescribe (or, by the
38 practitioner's authorized agent); or

1 (b) the patient or research subject at the direction and in the
2 presence of the practitioner.

3 (2) "Agent" means an authorized person who acts on behalf of or
4 at the direction of a manufacturer, distributor, or dispenser. It
5 does not include a common or contract carrier, public
6 warehouseperson, or employee of the carrier or warehouseperson.

7 (3) "Board" means the Washington state liquor and cannabis board.

8 (4) "Cannabis" means all parts of the plant *Cannabis*, whether
9 growing or not, with a THC concentration greater than 0.3 percent on
10 a dry weight basis during the growing cycle through harvest and
11 usable cannabis. "Cannabis" does not include hemp or industrial hemp
12 as defined in RCW 15.140.020, or seeds used for licensed hemp
13 production under chapter 15.140 RCW.

14 (5) "Cannabis concentrates" means products consisting wholly or
15 in part of the resin extracted from any part of the plant *Cannabis*
16 and having a THC concentration greater than ten percent.

17 (6) "Cannabis processor" means a person licensed by the board to
18 process cannabis into cannabis concentrates, useable cannabis, and
19 cannabis-infused products, package and label cannabis concentrates,
20 useable cannabis, and cannabis-infused products for sale in retail
21 outlets, and sell cannabis concentrates, useable cannabis, and
22 cannabis-infused products at wholesale to cannabis retailers.

23 (7) "Cannabis producer" means a person licensed by the board to
24 produce and sell cannabis at wholesale to cannabis processors and
25 other cannabis producers.

26 (8)(a) "Cannabis products" means useable cannabis, cannabis
27 concentrates, and cannabis-infused products as defined in this
28 section, including any product intended to be consumed or absorbed
29 inside the body by any means including inhalation, ingestion, or
30 insertion, with any detectable amount of THC.

31 (b) "Cannabis products" also means any product containing only
32 THC content.

33 (c) "Cannabis products" does not include cannabis health and
34 beauty aids as defined in RCW 69.50.575 or products approved by the
35 United States food and drug administration.

36 (9) "Cannabis researcher" means a person licensed by the board to
37 produce, process, and possess cannabis for the purposes of conducting
38 research on cannabis and cannabis-derived drug products.

1 (10) "Cannabis retailer" means a person licensed by the board to
2 sell cannabis concentrates, useable cannabis, and cannabis-infused
3 products in a retail outlet.

4 (11) "Cannabis-infused products" means products that contain
5 cannabis or cannabis extracts, are intended for human use, are
6 derived from cannabis as defined in subsection (4) of this section,
7 and have a THC concentration no greater than ten percent. The term
8 "cannabis-infused products" does not include either useable cannabis
9 or cannabis concentrates.

10 (12) "CBD concentration" has the meaning provided in RCW
11 69.51A.010.

12 (13) "CBD product" means any product containing or consisting of
13 cannabidiol.

14 (14) "Commission" means the pharmacy quality assurance
15 commission.

16 (15) "Controlled substance" means a drug, substance, or immediate
17 precursor included in Schedules I through V as set forth in federal
18 or state laws, or federal or commission rules, but does not include
19 hemp or industrial hemp as defined in RCW 15.140.020.

20 (16)(a) "Controlled substance analog" means a substance the
21 chemical structure of which is substantially similar to the chemical
22 structure of a controlled substance in Schedule I or II and:

23 (i) that has a stimulant, depressant, or hallucinogenic effect on
24 the central nervous system substantially similar to the stimulant,
25 depressant, or hallucinogenic effect on the central nervous system of
26 a controlled substance included in Schedule I or II; or

27 (ii) with respect to a particular individual, that the individual
28 represents or intends to have a stimulant, depressant, or
29 hallucinogenic effect on the central nervous system substantially
30 similar to the stimulant, depressant, or hallucinogenic effect on the
31 central nervous system of a controlled substance included in Schedule
32 I or II.

33 (b) The term does not include:

34 (i) a controlled substance;

35 (ii) a substance for which there is an approved new drug
36 application;

37 (iii) a substance with respect to which an exemption is in effect
38 for investigational use by a particular person under Section 505 of
39 the federal food, drug, and cosmetic act, 21 U.S.C. Sec. 355, or

1 chapter 69.77 RCW to the extent conduct with respect to the substance
2 is pursuant to the exemption; or
3 (iv) any substance to the extent not intended for human
4 consumption before an exemption takes effect with respect to the
5 substance.
6 (17) "Deliver" or "delivery" means the actual or constructive
7 transfer from one person to another of a substance, whether or not
8 there is an agency relationship.
9 (18) "Department" means the department of health.
10 (19) "Designated provider" has the meaning provided in RCW
11 69.51A.010.
12 (20) "Dispense" means the interpretation of a prescription or
13 order for a controlled substance and, pursuant to that prescription
14 or order, the proper selection, measuring, compounding, labeling, or
15 packaging necessary to prepare that prescription or order for
16 delivery.
17 (21) "Dispenser" means a practitioner who dispenses.
18 (22) "Distribute" means to deliver other than by administering or
19 dispensing a controlled substance.
20 (23) "Distributor" means a person who distributes.
21 (24) "Drug" means (a) a controlled substance recognized as a drug
22 in the official United States pharmacopoeia/national formulary or the
23 official homeopathic pharmacopoeia of the United States, or any
24 supplement to them; (b) controlled substances intended for use in the
25 diagnosis, cure, mitigation, treatment, or prevention of disease in
26 individuals or animals; (c) controlled substances (other than food)
27 intended to affect the structure or any function of the body of
28 individuals or animals; and (d) controlled substances intended for
29 use as a component of any article specified in (a), (b), or (c) of
30 this subsection. The term does not include devices or their
31 components, parts, or accessories.
32 (25) "Drug enforcement administration" means the drug enforcement
33 administration in the United States Department of Justice, or its
34 successor agency.
35 (26) "Electronic communication of prescription information" means
36 the transmission of a prescription or refill authorization for a drug
37 of a practitioner using computer systems. The term does not include a
38 prescription or refill authorization verbally transmitted by
39 telephone nor a facsimile manually signed by the practitioner.

1 (27) "Immature plant or clone" means a plant or clone that has no
2 flowers, is less than twelve inches in height, and is less than
3 twelve inches in diameter.

4 (28) "Immediate precursor" means a substance:

5 (a) that the commission has found to be and by rule designates as
6 being the principal compound commonly used, or produced primarily for
7 use, in the manufacture of a controlled substance;

8 (b) that is an immediate chemical intermediary used or likely to
9 be used in the manufacture of a controlled substance; and

10 (c) the control of which is necessary to prevent, curtail, or
11 limit the manufacture of the controlled substance.

12 (29) "Isomer" means an optical isomer, but in subsection (33)(e)
13 of this section, RCW 69.50.204(1) (l) and (hh), and 69.50.206(2)(d),
14 the term includes any geometrical isomer; in RCW 69.50.204(1) (h) and
15 (pp), and 69.50.210(3)((~~f~~)) the term includes any positional
16 isomer; and in RCW 69.50.204(1)(ii), 69.50.204(3), and 69.50.208(1)
17 ((~~f~~)) the term includes any positional or geometric isomer.

18 (30) "Lot" means a definite quantity of cannabis, cannabis
19 concentrates, useable cannabis, or cannabis-infused product
20 identified by a lot number, every portion or package of which is
21 uniform within recognized tolerances for the factors that appear in
22 the labeling.

23 (31) "Lot number" must identify the licensee by business or trade
24 name and Washington state unified business identifier number, and the
25 date of harvest or processing for each lot of cannabis, cannabis
26 concentrates, useable cannabis, or cannabis-infused product.

27 (32) "Manufacture" means the production, preparation,
28 propagation, compounding, conversion, or processing of a controlled
29 substance, either directly or indirectly or by extraction from
30 substances of natural origin, or independently by means of chemical
31 synthesis, or by a combination of extraction and chemical synthesis,
32 and includes any packaging or repackaging of the substance or
33 labeling or relabeling of its container. The term does not include
34 the preparation, compounding, packaging, repackaging, labeling, or
35 relabeling of a controlled substance:

36 (a) by a practitioner as an incident to the practitioner's
37 administering or dispensing of a controlled substance in the course
38 of the practitioner's professional practice; or

39 (b) by a practitioner, or by the practitioner's authorized agent
40 under the practitioner's supervision, for the purpose of, or as an

1 incident to, research, teaching, or chemical analysis and not for
2 sale.

3 (33) "Narcotic drug" means any of the following, whether produced
4 directly or indirectly by extraction from substances of vegetable
5 origin, or independently by means of chemical synthesis, or by a
6 combination of extraction and chemical synthesis:

7 (a) Opium, opium derivative, and any derivative of opium or opium
8 derivative, including their salts, isomers, and salts of isomers,
9 whenever the existence of the salts, isomers, and salts of isomers is
10 possible within the specific chemical designation. The term does not
11 include the isoquinoline alkaloids of opium.

12 (b) Synthetic opiate and any derivative of synthetic opiate,
13 including their isomers, esters, ethers, salts, and salts of isomers,
14 esters, and ethers, whenever the existence of the isomers, esters,
15 ethers, and salts is possible within the specific chemical
16 designation.

17 (c) Poppy straw and concentrate of poppy straw.

18 (d) Coca leaves, except coca leaves and extracts of coca leaves
19 from which cocaine, ecgonine, and derivatives or ecgonine or their
20 salts have been removed.

21 (e) Cocaine, or any salt, isomer, or salt of isomer thereof.

22 (f) Cocaine base.

23 (g) Ecgonine, or any derivative, salt, isomer, or salt of isomer
24 thereof.

25 (h) Any compound, mixture, or preparation containing any quantity
26 of any substance referred to in (a) through (g) of this subsection.

27 (34) "Opiate" means any substance having an addiction-forming or
28 addiction-sustaining liability similar to morphine or being capable
29 of conversion into a drug having addiction-forming or addiction-
30 sustaining liability. The term includes opium, substances derived
31 from opium (opium derivatives), and synthetic opiates. The term does
32 not include, unless specifically designated as controlled under RCW
33 69.50.201, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan
34 and its salts (dextromethorphan). The term includes the racemic and
35 levorotatory forms of dextromethorphan.

36 (35) "Opium poppy" means the plant of the species *Papaver*
37 *somniferum* L., except its seeds.

38 (36) "Package" means a container that has a single unit or group
39 of units.

1 (37) "Person" means individual, corporation, business trust,
2 estate, trust, partnership, association, joint venture, government,
3 governmental subdivision or agency, or any other legal or commercial
4 entity.

5 (38) "Plant" has the meaning provided in RCW 69.51A.010.

6 (39) "Poppy straw" means all parts, except the seeds, of the
7 opium poppy, after mowing.

8 (40) "Practitioner" means:

9 (a) A physician under chapter 18.71 RCW; a physician assistant
10 under chapter 18.71A RCW; an osteopathic physician and surgeon under
11 chapter 18.57 RCW; an optometrist licensed under chapter 18.53 RCW
12 who is certified by the optometry board under RCW 18.53.010 subject
13 to any limitations in RCW 18.53.010; a dentist under chapter 18.32
14 RCW; a podiatric physician and surgeon under chapter 18.22 RCW; a
15 veterinarian under chapter 18.92 RCW; a registered nurse, advanced
16 practice registered nurse (~~(practitioner)~~), or licensed practical
17 nurse under chapter 18.79 RCW; a naturopathic physician under chapter
18 18.36A RCW who is licensed under RCW 18.36A.030 subject to any
19 limitations in RCW 18.36A.040; a psychologist under chapter 18.83 RCW
20 who is certified as a prescribing psychologist under section 3 of
21 this act; a pharmacist under chapter 18.64 RCW or a scientific
22 investigator under this chapter, licensed, registered or otherwise
23 permitted insofar as is consistent with those licensing laws to
24 distribute, dispense, conduct research with respect to or administer
25 a controlled substance in the course of their professional practice
26 or research in this state.

27 (b) A pharmacy, hospital or other institution licensed,
28 registered, or otherwise permitted to distribute, dispense, conduct
29 research with respect to or to administer a controlled substance in
30 the course of professional practice or research in this state.

31 (c) A physician licensed to practice medicine and surgery, a
32 physician licensed to practice osteopathic medicine and surgery, a
33 dentist licensed to practice dentistry, a podiatric physician and
34 surgeon licensed to practice podiatric medicine and surgery, a
35 licensed physician assistant or a licensed osteopathic physician
36 assistant specifically approved to prescribe controlled substances by
37 his or her state's medical commission or equivalent and his or her
38 participating physician as defined in RCW 18.71A.010, an advanced
39 practice registered nurse (~~(practitioner)~~) licensed to prescribe

1 controlled substances, or a veterinarian licensed to practice
2 veterinary medicine in any state of the United States.

3 (41) "Prescription" means an order for controlled substances
4 issued by a practitioner duly authorized by law or rule in the state
5 of Washington to prescribe controlled substances within the scope of
6 his or her professional practice for a legitimate medical purpose.

7 (42) "Production" includes the manufacturing, planting,
8 cultivating, growing, or harvesting of a controlled substance.

9 (43) "Qualifying patient" has the meaning provided in RCW
10 69.51A.010.

11 (44) "Recognition card" has the meaning provided in RCW
12 69.51A.010.

13 (45) "Retail outlet" means a location licensed by the board for
14 the retail sale of cannabis concentrates, useable cannabis, and
15 cannabis-infused products.

16 (46) "Secretary" means the secretary of health or the secretary's
17 designee.

18 (47) "Social equity plan" means a plan that addresses at least
19 some of the elements outlined in this subsection (47), along with any
20 additional plan components or requirements approved by the board
21 following consultation with the task force created in RCW 69.50.336.
22 The plan may include:

23 (a) A statement that indicates how the cannabis licensee will
24 work to promote social equity goals in their community;

25 (b) A description of how the cannabis licensee will meet social
26 equity goals as defined in RCW 69.50.335;

27 (c) The composition of the workforce the licensee has employed or
28 intends to hire; and

29 (d) Business plans involving partnerships or assistance to
30 organizations or residents with connections to populations with a
31 history of high rates of enforcement of cannabis prohibition.

32 (48) "State," unless the context otherwise requires, means a
33 state of the United States, the District of Columbia, the
34 Commonwealth of Puerto Rico, or a territory or insular possession
35 subject to the jurisdiction of the United States.

36 (49) "THC concentration" means percent of tetrahydrocannabinol
37 content of any part of the plant *Cannabis*, or per volume or weight of
38 cannabis product, or the combined percent of tetrahydrocannabinol and
39 tetrahydrocannabinolic acid in any part of the plant *Cannabis*
40 regardless of moisture content.

1 (50) "Ultimate user" means an individual who lawfully possesses a
2 controlled substance for the individual's own use or for the use of a
3 member of the individual's household or for administering to an
4 animal owned by the individual or by a member of the individual's
5 household.

6 (51) "Unit" means an individual consumable item within a package
7 of one or more consumable items in solid, liquid, gas, or any form
8 intended for human consumption.

9 (52) "Useable cannabis" means dried cannabis flowers. The term
10 "useable cannabis" does not include either cannabis-infused products
11 or cannabis concentrates.

12 (53) "Youth access" means the level of interest persons under the
13 age of twenty-one may have in a vapor product, as well as the degree
14 to which the product is available or appealing to such persons, and
15 the likelihood of initiation, use, or addiction by adolescents and
16 young adults.

17 NEW SECTION. **Sec. 15.** Sections 6 and 8 of this act expire
18 October 1, 2025.

19 NEW SECTION. **Sec. 16.** Sections 7 and 9 of this act take effect
20 October 1, 2025.

21 NEW SECTION. **Sec. 17.** Section 12 of this act expires June 30,
22 2027.

23 NEW SECTION. **Sec. 18.** Section 13 of this act takes effect June
24 30, 2027.

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