
HOUSE BILL 1789

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Braddock, Paris and Prentice.

Read first time February 11, 1991. Referred to Committee on Health Care.

1 AN ACT Relating to limitations on filling prescriptions written by
2 authorized prescribers not licensed in this state; amending RCW
3 69.41.030; and declaring an emergency.

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

5 **Sec. 1.** RCW 69.41.030 and 1990 c 219 s 2 are each amended to read
6 as follows:

7 It shall be unlawful for any person to sell, deliver, or possess
8 any legend drug except upon the order or prescription of a physician
9 under chapter 18.71 RCW, an osteopathic physician or an osteopathic
10 physician and surgeon under chapter 18.57 RCW, a dentist under chapter
11 18.32 RCW, a ((podiatrist)) podiatric physician and surgeon under
12 chapter 18.22 RCW, a veterinarian under chapter 18.92 RCW, a
13 commissioned medical or dental officer in the United States armed
14 forces, marine hospital service, or public health service in the
15 discharge of his or her official duties, a duly licensed physician or

1 dentist employed by the veterans administration in the discharge of his
2 or her official duties, a registered nurse under chapter 18.88 RCW when
3 authorized by the board of nursing, an osteopathic physician(~~((S))~~)
4 assistant under chapter 18.57A RCW when authorized by the committee of
5 osteopathic examiners, a physician's assistant under chapter 18.71A RCW
6 when authorized by the board of medical examiners, a physician licensed
7 to practice medicine and surgery or a physician licensed to practice
8 osteopathy and surgery, a dentist licensed to practice dentistry, a
9 podiatrist licensed to practice podiatry, or a veterinarian licensed to
10 practice veterinary medicine, in any province of Canada which shares a
11 common border with the state of Washington or in any state of the
12 United States: PROVIDED, HOWEVER, That the above provisions shall not
13 apply to sale, delivery, or possession by drug wholesalers or drug
14 manufacturers, or their agents or employees, or to any practitioner
15 acting within the scope of his or her license, or to a common or
16 contract carrier or warehouseman, or any employee thereof, whose
17 possession of any legend drug is in the usual course of business or
18 employment: PROVIDED FURTHER, That nothing in this chapter or chapter
19 18.64 RCW shall prevent a family planning clinic that is under contract
20 with the department of social and health services from selling,
21 delivering, possessing, and dispensing commercially prepackaged oral
22 contraceptives prescribed by authorized, licensed health care
23 practitioners(~~((: PROVIDED FURTHER, That it shall be unlawful to fill
24 a prescription written by an authorized prescriber who is not licensed
25 in this state if more than six months has passed since the date of the
26 issuance of the original prescription))~~).

27 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
28 preservation of the public peace, health, or safety, or support of the
29 state government and its existing public institutions, and shall take

1 effect immediately.