

SHB 2512 - S COMM AMD

By Committee on Health & Long-Term Care

1 Strike everything after the enacting clause and insert the
2 following:

3 "**Sec. 1.** RCW 69.41.030 and 2011 1st sp.s. c 15 s 79 and 2011 c 336
4 s 837 are each reenacted and amended to read as follows:

5 (1) It shall be unlawful for any person to sell, deliver, or
6 possess any legend drug except upon the order or prescription of a
7 physician under chapter 18.71 RCW, an osteopathic physician and surgeon
8 under chapter 18.57 RCW, an optometrist licensed under chapter 18.53
9 RCW who is certified by the optometry board under RCW 18.53.010, a
10 dentist under chapter 18.32 RCW, a podiatric physician and surgeon
11 under chapter 18.22 RCW, a veterinarian under chapter 18.92 RCW, a
12 commissioned medical or dental officer in the United States armed
13 forces or public health service in the discharge of his or her official
14 duties, a duly licensed physician or dentist employed by the veterans
15 administration in the discharge of his or her official duties, a
16 registered nurse or advanced registered nurse practitioner under
17 chapter 18.79 RCW when authorized by the nursing care quality assurance
18 commission, a licensed pharmacist under RCW 18.64.011(23) when
19 authorized by the board of pharmacy, an osteopathic physician assistant
20 under chapter 18.57A RCW when authorized by the board of osteopathic
21 medicine and surgery, a physician assistant under chapter 18.71A RCW
22 when authorized by the medical quality assurance commission, or any of
23 the following professionals in any province of Canada that shares a
24 common border with the state of Washington or in any state of the
25 United States: A physician licensed to practice medicine and surgery
26 or a physician licensed to practice osteopathic medicine and surgery,
27 a dentist licensed to practice dentistry, a podiatric physician and
28 surgeon licensed to practice podiatric medicine and surgery, a licensed
29 advanced registered nurse practitioner, or a veterinarian licensed to
30 practice veterinary medicine: PROVIDED, HOWEVER, That the above

1 provisions shall not apply to sale, delivery, or possession by drug
2 wholesalers or drug manufacturers, or their agents or employees, or to
3 any practitioner acting within the scope of his or her license, or to
4 a common or contract carrier or warehouse operator, or any employee
5 thereof, whose possession of any legend drug is in the usual course of
6 business or employment: PROVIDED FURTHER, That nothing in this chapter
7 or chapter 18.64 RCW shall prevent a family planning clinic that is
8 under contract with the health care authority from selling, delivering,
9 possessing, and dispensing commercially prepackaged oral contraceptives
10 prescribed by authorized, licensed health care practitioners.

11 (2)(a) A violation of this section involving the sale, delivery, or
12 possession with intent to sell or deliver is a class B felony
13 punishable according to chapter 9A.20 RCW.

14 (b) A violation of this section involving possession is a
15 misdemeanor."

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16 On page 1, line 1 of the title, after "act;" strike the remainder
17 of the title and insert "and reenacting and amending RCW 69.41.030."

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