
SENATE BILL 5184

State of Washington

66th Legislature

2019 Regular Session

By Senators Kuderer, Cleveland, and Darneille

1 AN ACT Relating to prescription coverage and the use of
2 nonresident pharmacies; and adding a new section to chapter 48.43
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 48.43
6 RCW to read as follows:

7 (1) Health carriers, for health plans issued or renewed on or
8 after January 1, 2020, that include prescription drug coverage, must
9 ensure enrollees are protected from unintentional use of or
10 enrollment in a nonresident pharmacy.

11 (2) The health carrier must include in any contract with a
12 pharmacy benefit manager, as defined in RCW 19.340.010, a requirement
13 that the pharmacy benefit manager or its agents obtain affirmative
14 authorization, in writing or through electronic communication, from a
15 health plan enrollee prior to filling an enrollee's prescription
16 through a nonresident pharmacy. The authorization from the enrollee
17 may permit the use of a nonresident pharmacy for the plan year.

18 (3) Each nonresident pharmacy shipment must include a notice to
19 the enrollee clearly describing the actions that the enrollee can
20 take to terminate use of the nonresident pharmacy.

1 (4) The health plan must include information in the enrollee
2 health plan booklet explaining the requirement to obtain the
3 enrollee's affirmative authorization prior to filling a prescription
4 through a nonresident pharmacy.

5 (5) The health plan may not, as a condition of payment or
6 reimbursement, require an enrollee to purchase pharmacy services
7 exclusively through a nonresident pharmacy.

8 (6) For the purposes of this section, "nonresident pharmacy" has
9 the same meaning as in RCW 18.64.360.

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