WAC 246-945-040  Uniform Controlled Substance Act.  (1) The com-
misson adopts 21 C.F.R. as its own. The following sections do not ap-
ply: Sec. 1301.13, Sec. 1301.33, Sec. 1301.35-.46, Sec. 1303, Sec.
1308.41-.45, and Sec. 1316.31-.67. Any inconsistencies between 21
C.F.R. Sec. 1300 through 1321 and this chapter should be resolved in
favor of this chapter. Nothing in this chapter applies to the produc-
tion, processing, distribution, or possession of marijuana as author-
ized and regulated by the Washington state liquor and cannabis board.
(2) Registration. A separate registration is required for each
place of business, as defined in 21 C.F.R. Sec. 1301.12, where con-
trolled substances are manufactured, distributed, or dispensed. Appli-
cation for registration must be made on forms supplied by the commis-
sion, and all requested information must be supplied unless the infor-
mation is not applicable, which must be indicated by the applicant. An
applicant for registration must hold the appropriate license provided
for in chapter 18.64 RCW.
(3) Recordkeeping and Inventory. Every registrant shall keep and
maintain inventory records required by 21 C.F.R. Sec. 1304.04. Registr-
ants are also required to keep a record of receipt and distribution
of controlled substances. Records shall include:
(a) Invoices, orders, receipts, or any other document regardless
of how titled, establishing the date, supplier, and quantity of drug
received, and the name of the drug;
(b) Distribution records, including invoices, or any other docu-
ment regardless of how titled from wholesalers, manufacturers, or any
other entity to which the substances were distributed and prescrip-
tions records for dispensers;
(c) In the event of a significant loss or theft, two copies of
DEA 106 (report of theft or loss of controlled substances) must be
transmitted to the federal authorities and a copy must be sent to the
commission;
(d) For transfers of controlled substances from one dispenser to
another, a record of the transfer must be made at the time of transfer
indicating the drug, quantity, date of transfer, who it was transfer-
red to, and from whom. Records must be retained by both the transferee
and the transferor. These transfers can only be made in emergencies
pursuant to 21 C.F.R. Sec. 1307.11.
(4) Credential holders and pharmaceutical firms shall maintain
records for Schedule II drugs separately from all other records.
(5) Credential holders and pharmaceutical firms may maintain re-
cords for Schedule III, IV, and V drugs either separately or in a form
that is readily retrievable from the business records of the regis-
trant.
(6) A federal order form is required for each distribution of a
Schedule I or II controlled substance. Credential holders and pharma-
ceutical firms must keep and make readily available these forms and
other records to the commission or its designee.

[Statutory Authority: RCW 18.64.005, 18.64.080, 18.130.075, 18.64.043,
18.64.044, 18.64.045, 18.64.046, 18.64.370, 18.64.460, 69.50.310,
18.64.011, 18.64.245, 18.64.470, 18.64.255, 18.64.205, 18.64.253,
18.64.410, 18.64.500, 18.64.590. WSR 20-12-072, § 246-945-040, filed
6/1/20, effective 7/1/20.]