



STATE OF WASHINGTON
Pharmacy Quality Assurance Commission
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January 14, 2022
Weekly Legislative Review Agenda
Time: 12:00 p.m.

[Register](#) for Webinar

ID: 484-649-427

Phone: 914.614.3221

Access Code 532-935-602

Audio PIN: *Shown after joining the webinar*

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In accordance with the Open Public Meetings Act, notices were mailed electronically to individuals who requested notification of meetings of the Pharmacy Quality Assurance Commission.

Times and Order: The meeting will begin at 12:00 p.m. and will continue until all agenda items are complete. This agenda is subject to change. Items might not be taken in order of the agenda. Please call 360.236.4834 before the meeting date to confirm the meeting agenda. This meeting will not be recorded.

1. Opening
 - a. Member Roll Call
2. PQAC Bill Report
 - a. Review Bills (*Information*)
 - i. Determine position and action on each bill (*Action*)
 - ii. Weekly report on actions
3. Public Comment Period

Meeting Adjourned/Closed.

Accessibility: This meeting is accessible to persons with disabilities. Special aids and services can be made available upon advance request. Requests must be made no later than five (5) days prior to the meeting. If you would like general information about this meeting, please call (360) 236-4946. If you need assistance with special services, you may leave a message with that request at 1-800-525-0127 or if calling outside Washington State call (360) 236-4052. TDD may be accessed by calling the TDD relay service at 711. If you need assistance due to a speech disability, Speech-to-Speech provides human voices for people with difficulty being understood. The Washington State Speech to Speech toll free access number is 1-877- 833-6341.

[Link to Washington State Legislature Bill Information 2022](#)

Jan 10, 2022 – First day of session.

Feb 3, 2022 – Policy Committee Cutoff.

Feb 7, 2022 – Fiscal Committee Cutoff.

Feb 15, 2022 – House of Origin Cutoff.

Feb 24, 2022 – Policy Committee Cutoff – Opposite House.

Feb 28, 2022 – Fiscal Committee Cutoff – Opposite House.

March 4, 2022 – Opposite House Cutoff.

March 10, 2022 – Sine die. Last day allowed for regular session under state constitution.

TVW - <http://www.tvw.org/>

Bills Requiring Active Involvement/Input			
Bill # /Companion	Short Title	Brief Description	Committee Action (subject to change)
<u>HB 1675/ SB 5507</u>	Dialysate and dialysis devices.	<p>HB 1675/SB 5507 amends RCW 18.64.257 and 69.41.032 (addressing the prescription of legend drugs by dialysis programs) to include additional entities related to dialysis programs and treatment. These entities are manufacturers of commercially available dialysate, manufacturers’ agents acting on behalf of the manufacturer, and dialysis devices used by home dialysis patients. The inclusion of these entities would allow dialysis product manufacturers to sell, deliver, possess, and/or dispense dialysis devices and associated legend drugs—particularly commercially available dialysate—directly to dialysis patients.</p> <p>Under the proposed act, dialysis product manufacturers and agents representing those manufacturers would be exempt from PQAC licensure if they are shipping commercially available dialysate used by home dialysis patients.</p>	<p>HB 1675 Pre-filed 12/20/2021 HB 1675 Sponsors: Representatives Bateman, Maycumber, Leavitt, and Graham</p> <p>SB 5507 Pre-filed 12/7/2021 SB 5507 Sponsors: Senators Keiser and Muzzall</p> <p>HB 1675 Introduced on 1/10/2022 and referred to House Committee on Health Care & Wellness.</p>
<u>SB 5546</u>	Insulin affordability.	<p>SB 5546 amends Washington state law pertaining to insulin affordability and the operations of the insulin work group (RCW 70.14.160). Section 1 of the bill amends language in RCW 48.43.780 to reduce the amount health plan enrollees must pay for a 30-day supply of prescription insulin drugs, from \$100 to \$35. This section also amends the date after which issued or renewed health plans must comply with the price change from January 1, 2021 to January 1, 2023.</p> <p>Section 3 of the bill addresses the insulin work group established in RCW 70.14.160 and HB 2662. The bill does not affect the number or type of</p>	<p>Pre-filed 12/16/2021 Sponsors: Senators Keiser and Van De Wege</p>

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		representatives serving on the work group but expands the scope of the strategies considered in reducing insulin costs for individuals. Section 3.2(b) is an added subsection that requires the work group to design and review strategies for providing a once yearly 30-day supply of insulin to individuals on an emergency basis. This section also extends the deadline by which the work group must submit a preliminary report to the governor and legislature from December 1, 2020 to December 1, 2022.	
HB 1728	Insulin affordability – Workgroup funding and report deadline.	1728 HB would amend RCW 70.14.160 and create a new section pertaining to the insulin affordability workgroup. The deadline for the submission of the preliminary report “detailing strategies to reduce the cost of and total expenditures” of insulin for patients and the expiration of the section establishing the workgroup is extended from 2020 to 2022. The section expiration date is also extended from 2022 to 2024. A new section (Sec. 2.) is added that makes this act null and void if specific funding is not provided for this act by June 30, 2022.	Pre-filed 1/3/2022 Sponsors: Representatives Maycumber, Cody, Callan, Eslick, Macri, Ramos, Griffey, Riccelli, and Leavitt; by request of Health Care Authority Introduced on 1/10/2022 and referred to House Committee on Health Care & Wellness.
SB 5547 / HB 1668	Expanding regulatory authority over cannabinoids.	SB 5547 would authorize the Liquor and Cannabis Board (board) to regulate all cannabinoids that may be impairing, regardless of origin, and would direct the board to adopt rules related to cannabinoid products and Cannabis isolates, except those authorized as a drug by the federal Food and Drug Administration (FDA). This would move jurisdiction over some identified substances from the Pharmacy Quality Assurance Commission (PQAC) to the Liquor and Cannabis Board (LCB). These substances include forms of tetrahydrocannabinol (THC) other than delta-9 THC, which has previously been placed in LCB’s jurisdiction.	SB Pre-filed 12/16/2021 SB Sponsors: Senators Keiser and Schoesler HB Companion Pre-filed 12/20/2021 HB Companion Sponsors: Representatives Kloba and Wylie

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HB 1852 / SB 5840	Language requirements for prescription drug labels.	<p>Starting on January 1, 2023, a licensed pharmacy or nonresident pharmacy must provide translated directions upon request for use and side effects of prescription drugs. The Pharmacy Quality Assurance Commission (commission) is charged with determining the languages for which translation is required, and fifteen (15) languages must be chosen. The commission will build the list of languages based on the percent of the population of Washington that speaks the language, and this list must be reassessed and updated every five (5) years. The commission is also responsible for making the translations of directions for use and common side effects and developing signage to notify the public of the availability of translation services.</p> <p>Licensed pharmacies and nonresident pharmacies are not required to provide their own translated directions to patients, either within or beyond the list of fifteen languages determined by the committee. Pharmacies may provide their own translated directions for use and side effects but are only responsible for the accuracy of the English language directions.</p>	<p>HB Pre-filed 1/7/2022 HB Sponsors: Representatives Thai, Cody, Gregerson, Macri, Santos, Slatter, Valdez, Pollet, and Riccelli</p> <p>SB Sponsor: Senator Keiser</p> <p>HB Introduced on 1/10/2022 and referred to House Committee on Health Care & Wellness.</p>
SB 5753	Enhancing the capacity of health profession boards, commissions, and advisory committees.	It modifies membership and quorum requirements for the following regulatory bodies: Dental Quality Assurance Commission, the Veterinary Board of Governors, the Board of Physical Therapy, the Board of Massage, and the Board of Nursing Home Administrators. It authorizes the Pharmacy Commission to use the same regulatory delegation for facilities enforcement that it currently does for pharmacy professionals. It harmonizes all boards and commissions as Class 5 Groups under Chapter 43.03 RCW. And finally, the bill removes US citizenship as a prerequisite to serve on boards, commissions, or committees.	<p>Pre-filed 1/7/2022 Sponsor: Senator Robinson</p>

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Bill # /Companion	Short Title	Brief Description	Committee Action (subject to change)
SB 5660	Establishment of a psilocybin board.	<p>This bill creates a system similar to Oregon Measure 109 in which, following an 18-month program development period, individuals aged 21 or older may consume psilocybin products for purposes of wellness, provided that the consumption takes place within licensed service centers, under the supervision of licensed facilitators, and using products created and tested by manufacturers and testers licensed by the Washington State Department of Health (DOH). It directs DOH to:</p> <ul style="list-style-type: none"> • Establish a Washington Psilocybin Advisory Board with 20-23 members appointed by the Governor or designated by statute to provide advice and recommendations to DOH related to this new statute. • Publish information relating to the safety and efficacy of psilocybin • Develop a program by January 1, 2024 to regulate the following for psilocybin products: <ul style="list-style-type: none"> ○ manufacturing, ○ transportation, ○ delivery, ○ advertising, ○ labelling and packaging, ○ dosing, ○ sale ○ purchase • Adopt requirements and guidelines for psilocybin services including: <ul style="list-style-type: none"> ○ service center screening, ○ warnings, and disclosures, ○ regulation for the mandatory psilocybin preparation session, administration session, and optional integration session which must be offered to each client ○ a requirement that psilocybin administration sessions be held at a psilocybin service center unless an exception applies to accommodate a client who is medically unable to travel to a service center, and requires the client to remain at the center 	Pre-filed 1/5/2022 Sponsors: Senators Salomon and Lovelett

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		<p>under the supervision of a facilitator until the administration session is completed, with arrangement for safe transportation from the service center</p> <ul style="list-style-type: none"> • Establish the following for psilocybin facilitators: <ul style="list-style-type: none"> ○ a code of conduct, ○ education standards requiring at least a high school diploma, and ○ training, education, and examination requirements, ○ guidelines establishing facilitation that is affirming, nonjudgmental, culturally competent, and nondirective, including specialized training addressing client safety and clients who may have behavioral health conditions • Establish the following for psilocybin products: <ul style="list-style-type: none"> ○ use of naturally grown mushrooms for psilocybin services that meet quality and safety standards without requiring synthetic or patented products or procedures • Establishes the following requirements for licensure of psilocybin businesses: <ul style="list-style-type: none"> ○ consistent with land use regulations issued by local jurisdictions, ○ allows local governments to impose reasonable regulations on the operation of psilocybin businesses, and to adopt ordinances prohibiting establishment of psilocybin product manufacturing centers or service centers. ○ Requires psilocybin services centers to locate outside of residential neighborhoods and at least 1,000 feet away from a school (or at least 500 feet if there is a geographic barrier). • Requires licensed psilocybin manufacturing, testing, and service center businesses to have at least 50 percent ownership by individuals who have been residents of Washington State for at least two years, until January 1, 2026 • Develop and maintain a system for tracking the transfer and transportation of psilocybin products using the system developed by the 	

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		<p>Liquor and Cannabis Board to track cannabis products, which prevents diversion, tampering, or substitution of psilocybin products and allows for accurate accounting and testing of those products</p> <ul style="list-style-type: none"> • Requires manufacturing of psilocybin to be indoors. • Provides protection against disclosure of the identity of psilocybin service center clients. • Requires DOH to establish license fees calculated to cover but not exceed the cost of administering the psilocybin program and enforcing psilocybin regulations. • Establishes a social opportunity program at DOH for the psilocybin industry to help individuals from distressed areas to receive reductions in license fees and technical assistance to help make the psilocybin industry equitable and accessible by all. <p>The bill also:</p> <ul style="list-style-type: none"> • Establishes a misdemeanor offense for use of identification to obtain psilocybin services that falsely indicates the person's age, and establishes civil penalties for violations of psilocybin rules. • Preempts local jurisdictions from establishing local licenses or taxes related to the manufacturing or sale of psilocybin. • Prohibits an employer from discriminating against or discharging an employee for receiving psilocybin services or requiring testing for psilocybin absent visible impairment at work 	
HB 1863	Authorizing the prescriptive authority of psychologists.	<p>The bill adds psychologists to the list of professions able to prescribe medication, if a currently licensed psychologist meets the following criteria:</p> <ul style="list-style-type: none"> • Successfully complete a qualifying master's degree, which includes psychopharmacology studies and supervised experience treating patients and prescribing medication (Sec 3 (2)(c)); • Successfully complete an 80-hour supervised clinical experience in physical assessment (Sec 3 (2)(d)); 	<p>Pre-filed 1/7/2022 Sponsors: Representatives Macri, Goodman, and Simmons</p> <p>Introduced on 1/10/2022 and referred to the House</p>

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		<ul style="list-style-type: none"> • Successfully complete a postdoctoral prescribing psychology fellowship of a minimum 500 hours and 100 individual patients (Sec 3 (2)(e)); and • Pass a relevant examination (Sec 3 (2)(f)). <p>The bill also:</p> <ul style="list-style-type: none"> • Excludes opioids from medication that may be prescribed (Sec 4(4)) • Requires the Examining Board of Psychology to work with the medical commission when creating administrative rules establishing standards for certifying prescribing psychologists (Sec 6(4)(c)). • Sec 5 also adds a 10th board member and a requirement one of the board members must be an expert in psychotropic prescribing. <p>Currently, there are seven professional and two public board members; SB 5753 proposes adding two additional public members</p>	Committee on Health Care & Wellness
SB 5743	Designating kratom as a controlled substance.	SB 5743 amends RCW 69.50.204 to classify mitragynine and 7-hydroxymitragynine, substances commonly known as kratom, as Schedule I drugs. A new section is added to justify the decision via emergency declaration: “This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.”	Pre-filed 1/7/2022 Sponsor: Senator Honeyford
TBA	Legend drugs for dialysis.	TBA	TBA
TBA	State v. Blake (criminal threshold for drug possession).	TBA	TBA

Additional Bills to Watch (Not in PQAC Jurisdiction)		
Bill # /Companion	Short Title	Committee Action (subject to change)
SB 5532 /HB 1671	Prescription drug affordability board.	SB Pre-filed 12/10/2021 SB Sponsors: Senators Keiser and Robinson. HB Pre-filed 12/20/2021 HB Sponsor: Representatives Riccelli, Leavitt and Bateman Division track – Monitoring for amendments
HB 1813/SB 5811	Pharmacy choice – Pharmacy benefit manager rules.	HBPre-filed 1/6/2022 HB Sponsor: Representative Schmick SB Sponsor: Senator Rivers Division track – Monitoring for amendments
HB 1821	Definition of established relationship for purposes of audio-only telemedicine.	Prefiled 1/6/2022 Sponsors: Representatives Schmick, Riccelli, Cody, and Graham Introduced on 1/10/2022 and referred to House Committee on Health Care & Wellness.
HB 1863	Authorizing the prescriptive authority of psychologists.	Pre-filed 1/7/2022 Sponsors: Representatives Macri, Goodman, and Simmons Introduced on 1/10/2022 and referred to House Committee on Health Care & Wellness.
HB 5765	Relating to the practice of midwifery.	Sponsors: Senators Randall and Keiser
HB 1874	Reducing licensing barriers	Sponsor: Representative Vick

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Bill # /Companion	Short Title	Committee Action (subject to change)
	for those with previous arrest.	
SB 5542	Related to the practice of optometry.	Pre-filed 12/14/2021 Sponsors: Senators Cleveland and Rivers
SB 5811	Pharmacy choice.	Sponsor: Senator Rivers
SB 5794	Behavior health condition prescription drug coverage.	