



STATE OF WASHINGTON
Pharmacy Quality Assurance Commission

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January 27, 2023
Weekly Legislative Review Agenda
Time: 12:00 p.m.

Zoom ID: **823 1715 3848**

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1. Call to Order
 - a. Roll Call
2. PQAC Bill Report
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 2023](#)

January 9, 2023 – First day of session.

February 17, 2023 – Policy Committee Cutoff. **Next cutoff**

February 24, 2023 – Fiscal Committee Cutoff.

March 8, 2023 – House of Origin Cutoff.

March 29, 2023 – Policy Committee Cutoff – Opposite House.

April 4, 2023 – Fiscal Committee Cutoff – Opposite House.

April 12, 2023 – Opposite House Cutoff.

April 23, 2023 – Sine die. Last day allowed for regular session under state constitution.

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

Bills That Merit Active Involvement/Input			
Bill # /Companion	Short Title	Brief Description	Committee Action (subject to change)
SHB 1009	Military spouse employment	<p>The Military Spouse Employment Act creates occupational flexibility for military spouses, 34 to 50 percent of whom work in fields requiring a professional license. RCW 180.340.020 is amended to streamline the process by which licensing authorities may expedite the issuance of a license to a qualified applicant who is also a military spouse.</p> <p>Section 5 of the bill also mandates training for each board or commission member on “the culture of military spouses, the military spouse experience, and issues related to military spouse career paths.” Boards and commissions are encouraged to appoint a military spouse to serve on its licensing board or commission.</p> <p>The bill would also create a military spouse assistance web page (Section 6), require the department to develop a campaign with local business associations and chambers of commerce to increase military spouse employment (Section 8), and allow military spouses to terminate their own employment more easily in cases of a permanent change of station for their spouse (Section 9).</p> <p>The substitute version added definitions for completed applications and elaborated on penalties incurred. SHB 1009 also included a date of October 1, 2023 for the bill to “take effect.”</p>	<p>HB 1009 <i>Sponsors:</i> Representatives Leavitt, Barkis, Ryu, Paul, Donaghy, Slatter, Simmons, Low, Volz, Schmidt, Christian, Lekanoff, Griffey, Doglio, Robertson, Orwall, Caldier, Reeves, Bronoske, Bergquist, Shavers, Riccelli, and Ormsby <i>Introduced (House):</i> 1/9/2023, referred to the House Innovation, Community & Economic Development, & Veterans Committee. <i>Public hearing (House):</i> 1/11/2023 <i>Executive session (House):</i> 1/13/2023, substitute version introduced and passed as current version 1/17/2023 (House): Referred to Appropriations Committee</p>

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Bill # /Companion	Short Title	Brief Description	Committee Action (subject to change)
HB 1041	Prescriptive authority of psychologists.	<p>Due to an identified “lack of prescribers comfortable with prescribing psychiatric medications to support the behavioral health needs of the state,” this bill authorizes successfully credentialed psychologists to prescribe psychotropic medications.</p> <p>Section 2 of the bill revises and adds numerous definitions to the RCW 18.83.010 to accommodate the proposed action while Sections 3 and 4 create and grant prescriptive authority to credentialed psychologists in statute.</p> <p>Of note to the commission is Section 6(6) which requires the examining board of psychology to transmit a list of prescribing psychologists and update or modify the list as necessary going forward.</p>	<p>HB 1041 <i>Sponsors:</i> Representatives Bateman, Macri, Ryu, and Simmons <i>Pre-file (House):</i> 12/15/2022. <i>Introduced (House):</i> 1/9/2023, referred to the House Health Care & Wellness Committee. <i>Public hearing (House):</i> 1/13/2023</p>
HB 1275 SB 5308	Athletic trainers	<p>Under Subsection 2(1), this bill amends RCW 18.250.110 and clarifies the current medication laws by allowing athletic trainers to purchase, store, and administer medications <u>in accordance with their pharmacological education and training</u>. Previous legislation inadvertently limited athletic trainers to specific over-the-counter topical medications. This language removes this unnecessary limitation.</p> <p>The bill also adds language clarifying the definitions for “athlete,” “athletic injury,” and “athletic trainer” under RCW 18.25.010 to align with other states and national organizations.</p>	<p>HB 1275 <i>Sponsors:</i> Representatives Thai, Harris, and Riccelli <i>Introduced (House):</i> 1/12/2023, referred to House Health Care & Wellness Committee <i>Public hearing (House):</i> 1/25/2023 <i>Executive session (House):</i> 1/27/2023</p> <p>SB 5308 <i>Sponsors:</i> Senators Cleveland and Rivers <i>Introduced (Senate):</i> 1/12/2023, referred to Health & Long Term Care Committee <i>Public hearing (Senate):</i> 1/26/2023</p>
HB 1546	Good Faith Pain Act	This bill establishes protections for various health care professions “acting in good faith” in prescribing or dispensing opioid drugs “for legitimate medical purposes in the course of professional practice.” The covered professions include pharmacists,	<p>HB 1546 <i>Sponsors:</i> Representatives Caldier, Jacobsen, and Hutchins</p>

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		dentists, physicians, physician assistants, advanced registered nurse practitioners, podiatric physicians and surgeons, and osteopathic physicians and surgeons.	<i>Introduced (House): 1/24/2023, referred to House Health Care & Wellness Committee</i>
SB 5120	23-hour crisis receiving centers	<p>This bill would establish 23-hour crisis receiving centers (CRCs) in Washington State. The purpose of CRCs is to address the mental and physical health needs of people in crisis.</p> <p>CRC is defined in RCW 71.24.025 per Section 1, and Section 2 describes the various roles that a CRC would fulfill, including but not limited to: Offering walk-in options and drop-off options for first responders, provide services to address mental health and substance use crisis issues, screen all individuals for suicide risk and violence risk, etc.</p> <p>Of interest to the commission is that CRCs are eligible to obtain an HCE license, which would have some effect on licensure management and inspection practices.</p>	<p>SB 5120 <i>Sponsors:</i> Senators Dhingra and Wagoner <i>Pre-file (Senate): 12/30/2022.</i> <i>Introduced (Senate): 1/9/2023,</i> referred to the Senate Health & Long Term Care Committee. <i>Public hearing (Senate): 1/13/2023</i> <i>Executive session (Senate): 1/26/2023</i></p>
SB 5263	Psilocybin services	<p>This bill establishes psilocybin services for the purpose of behavioral health treatment. Like the 2022 version, SB 5660, this legislation establishes a psilocybin advisory board (Section 6) to develop a psilocybin program over a period of two years and provide information to the department on request. Departmental jurisdiction over this program will not be shared with PQAC (Section 8).</p> <p>The 2023 bill adds to the previous year version by proposing a Client Bill of Rights (Section 88) to protect individuals that use the psilocybin program as well as legal protections for medical and healthcare personnel, clients, and primary caregivers for sharing information about psilocybin services (Section 93). Additional regulatory elements are also applied to the psilocybin service facilitator position.</p>	<p>SB 5263 <i>Sponsors:</i> Senators Salomon, Rivers, Saldaña, Nobles, Lovick, Lovelett, Hunt, Hasegawa, Mullet, Trudeau, Robinson, Pedersen, Wellman, Muzzall, C. Wilson, Kuderer, Keiser, Lias, Van De Wege, and Frame <i>Introduced (Senate): 1/11/2023,</i> referred to the Senate Labor & Commerce Committee.</p>
SB 5271 HB 1434	Uniform Facilities Enforcement Framework	<p>This legislation extends the enforcement tools enacted in 2020 and 2021 for psychiatric and acute care hospitals to all facilities the department regulates. Our current enforcement options for most facilities are limited to denying, suspending, or revoking a license. This bill adds:</p> <ul style="list-style-type: none"> • Immediate enforcement tools, such as stop placement, limited stop placement, limited stop service, and reasonable conditions, to address 	<p>SB 5271 <i>Sponsors:</i> Senators Cleveland and Robinson, by request of the Department of Health <i>Introduced (Senate): 1/11/2023,</i> referred to the Senate Health & Long Term Care Committee</p>

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		<p>violations that constitute immediate jeopardy, including when a facility refuses to comply with an investigation. Immediate jeopardy is defined as a situation in which the facility has placed patients in its care at risk for serious injury, serious impairment, or death.</p> <ul style="list-style-type: none"> Intermediate tools to address repeat violations to bring facilities into compliance with regulations. These tools, including reasonable conditions and civil fines, are intended to be used after the department's initial informal process of issuing a statement of deficiencies and a facilities' plan of correction fail to ensure the violation does not occur again. <p>The legislation also ensures the authority to issue cease and desist orders and injunctions for unlicensed operation of a facility is consistent for all facilities the department regulates.</p>	<p><i>Public hearing (Senate):</i> 1/26/2023</p> <p>HB 1434 <i>Sponsors:</i> Representatives Thai and Riccelli, by request of the Department of Health <i>Introduced (House):</i> 1/18/2023, referred to House Health Care & Wellness Committee.</p>
SB 5389	Optometry scope-of-practice	<p>This is a scope-of-practice bill for optometry updated from last year's version (SHB 5542). The bill amends RCW 18.53.010 expanding the optometrist scope of practice to include limited, but mostly undefined, ophthalmic surgical procedures and injections. The bill also adds drug prescribing and administering rights. The expanded scope is further defined through a list of prohibited ophthalmic surgical procedures. The board must adopt rules (sole authority) to define authorized procedures, additional drug privileges and guidelines, and required education, training and testing to ensure optometrists are qualified to practice under the expanded scope.</p>	<p>SB 5389 <i>Sponsors:</i> Senators Cleveland, Rivers, Robinson, Van De Wege, Conway, Holy, Schoesler, L. Wilson, Lovick, Randall, and C. Wilson <i>Introduced (Senate):</i> 1/16/2023, referred to Senate Health & Long Term Care Committee</p>
SB 5481	Uniform Telemedicine Act	<p>This bill proposes the creation of a new section or sections of statute for the purpose of allowing health care practitioners to provide telemedicine services to patients. Providers using telemedicine services must comply with health care practices regulated by state and federal law and in compliance with professional practice standards applicable to the health care practitioner.</p> <p>SB 5481 also allows for the registration of out-of-state health care practitioners by relevant disciplining authorities listed under RCW 18.130.040. Out-of-state practitioners must complete a form provided by the disciplining authority to register under the proposed statutory language. Section 7 of the bill establishes qualifying</p>	<p>SB 5481 <i>Sponsors:</i> Senators Cleveland and Pedersen <i>Introduced (Senate):</i> 1/19/2023, referred to Senate Health & Long Term Care Committee</p>

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		requirements such as active license status, five years without any disciplinary action taken, and registration fees. Following sections outline the conditions by which disciplinary actions may be taken (Section 8), reporting requirements by the practitioner to the disciplinary authority (Section 9), and venue restrictions for practitioners providing telemedicine services (Section 10).	
SB 5411	Naturopaths scope-of-practice	<p>The bill expands the prescriptive authority for naturopathic physicians to include all legend drugs and controlled substances in schedule II, III, IV, and V of the uniformed controlled substances act. Licensees who desire to prescribe these medications must complete education and training requirements established by the Board of Naturopathy and register with the prescription monitoring program. The bill also updates other drug statutes by adding naturopathic physicians.</p> <p>The bill changes the references of “naturopaths” to “naturopathic physicians”. It permits a naturopath to sign and attest to any certificates, cards, forms, or other required documentation that a physician may sign, so long as it is within the naturopathic physician's scope of practice. These changes support increasing primary care service availability.</p>	<p><u>SB 5411</u> <i>Sponsors:</i> Senators Short, Randall, Robinson, Shewmake, Valdez, Warnick, C. Wilson, and R. Wilson <i>Introduced (Senate):</i> 1/17/2023, referred to Senate Health & Long Term Care Committee</p>
SB 5536	Concerning controlled substances, counterfeit substances, and legend drug possession	<p>This bill amends sections in chapters 69.50 RCW, 9.96 RCW, 36.70A RCW, and 71.24.590, and adds new sections to chapters 69.50 RCW, 71.24 RCW, and 43.330 RCW relating to justice system and behavioral health responses for persons “experiencing circumstances” involving controlled substances, counterfeit substances, legend drugs, and drug paraphernalia.</p> <p>The term “knowingly” is added to actions around the aforementioned substances and language is included in the first four sections to divert criminal justice actions to behavioral treatment options. Section 10 of the bill requires the department to adopt rules by December 31, 2023 to allow substance use disorder treatment programs to establish off-site medication units (free-standing, collocated in a community setting such as a hospital, or a mobile medication unit). These units are classified as essential public facilities in Section 11.</p>	<p><u>SB 5536</u> <i>Sponsors:</i> Senators Robinson, Lovick, Rolfes, Mullet, Dhingra, Billig, Hasegawa, Keiser, Kuderer, Liias, Lovelett, Nobles, Randall, Stanford, Wellman, and C. Wilson. <i>Introduced (Senate):</i> 1/23/2023, referred to Senate Law & Justice Committee</p>

Additional Bills to Watch (Not in PQAC Jurisdiction)		
Bill # /Companion	Short Title	Committee Action (subject to change)
HB 1006	Expanding access to drug testing equipment.	HB 1006 <i>Sponsors:</i> Representatives Orwall, Mosbrucker, Goodman, Davis, Hackney, Simmons, Griffey, Peterson, Leavitt, Ryu, Bateman, Reed, Graham, Ramel, Pollet, Doglio, Rude, Macri, Caldier, Reeves, Wylie, Gregerson, Kloba, Riccelli, Farivar, Fosse <i>Introduced (House):</i> 01/09/2023, referred to House Community Safety, Justice, & Reentry Committee <i>Public Hearing (House):</i> 1/9/2023 <i>Executive Session (House):</i> 1/19/2023, referred to Rules 2 Review (1/23/2023)
HB 1269	Prescription drug affordability board	HB 1269 <i>Sponsors:</i> Representatives Riccelli, Stonier, and Marci; by request of Health Care Authority <i>Introduced (House):</i> 1/12/2023, referred to House Health Care & Wellness Committee
HB 1452	State Medical Reserve Corps Act	HB 1452 <i>Sponsors:</i> Representatives Timmons and Harris <i>Introduced (House):</i> 1/19/2023, referred to House Health Care & Wellness Committee <i>Public Hearing (House):</i> 1/24/2023 <i>Executive Session (House):</i> 1/25/2023, second session scheduled (1/27/2023)
HB 1547	Out-of-state providers	HB 1547 <i>Sponsors:</i> Representatives Caldier, Christian, Volz, Eslick, Hutchins, and Graham <i>Introduced (House):</i> 1/24/2023, referred to House Health Care & Wellness Committee
SB 5022	Exempting fentanyl testing equipment from the definition of drug paraphernalia.	SB 5022 <i>Sponsors:</i> Senators Muzzall and Cleveland <i>Pre-file (Senate):</i> 12/6/2022. <i>Introduced:</i> 1/9/2023, referred to Senate Law & Justice Committee
SB 5035	Amending drug possession classifications.	SB 5035 <i>Sponsors:</i> Senators Padden, Fortunato, Short, J. Wilson, Schoesler, Warnick, Dozier, and Wagoner <i>Pre-file (Senate):</i> 12/8/2022. <i>Introduced (Senate):</i> 1/9/2023, referred to Senate Law & Justice Committee
SB 5179	Death with Dignity Act	SB 5179 <i>Sponsors:</i> Senators Pedersen, King, Cleveland, Dhingra, Frame, Hunt, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Nobles, Robinson, Saldaña, Stanford, Valdez, Van De Wege, Wellman, and C. Wilson <i>Pre-file (Senate):</i> 1/5/2023 <i>Introduced (Senate):</i> 1/9/2023, referred to Senate Health & Long Term Care Committee

Additional Bills to Watch (Not in PQAC Jurisdiction)		
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SB 5411	Naturopaths scope-of-practice	SB 5411 <i>Sponsors:</i> Senators Short, Randall, Robinson, Shewmake, Valdez, Warnick, C. Wilson, and R. Wilson <i>Introduced (Senate):</i> 1/17/2023, referred to Senate Health & Long Term Care Committee
SB 5467	Treatment for possession of certain counterfeit drugs or controlled substances	SB 5467 <i>Sponsors:</i> Senators Salomon, Lovick, Cleveland, Mullet, Rolfes, Wellman, Keiser, Kauffman, Conway, Hunt, Holy, Braun, L. Wilson, Lias, Van De Wege, and Gildon <i>Introduced (Senate):</i> 1/19/2023, referred to Senate Law & Justice Committee

Dead/dormant Bills (relevant if needed to pass the budget)		
Bill # /Companion	Short Title	Bill Summary
HB XXXX SB XXXX	Concise name of proposed bill.	Bill analysis info and other context relevant to the commission.