



# RULE-MAKING ORDER PERMANENT RULE ONLY

## CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: July 18, 2024

TIME: 7:29 AM

WSR 24-15-075

**Agency:** Department of Health - Pharmacy Quality Assurance Commission

**Effective date of rule:**

**Permanent Rules**

31 days after filing.

Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

Yes  No If Yes, explain:

**Purpose:** Classifying wildlife capture drugs as approved legend drugs for the Washington State Department of Fish and Wildlife (WDFW). The Pharmacy Quality Assurance Commission (commission) is adopting amendments to WAC 246-945-507 to add four intramammary antibiotics to the list of approved legend drugs in chapter 246-945 WAC in response to a petition request from a veterinarian at WDFW.

**Citation of rules affected by this order:**

New: None

Repealed: None

Amended: WAC 246-945-507

Suspended: None

**Statutory authority for adoption:** RCW 18.64.005, 69.41.075, 69.41.080 and 69.50.320

**Other authority:**

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 24-07-066 on March 15, 2024.

Describe any changes other than editing from proposed to adopted version: No changes were made from the proposed to the adopted version. None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: N/A

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

Federal statute:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Federal rules or standards:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Recently enacted state statutes:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>

**The number of sections adopted at the request of a nongovernmental entity:**

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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**The number of sections adopted on the agency's own initiative:**

New	<u>0</u>	Amended	<u>1</u>	Repealed	<u>0</u>
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	<u>0</u>	Amended	<u>1</u>	Repealed	<u>0</u>
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**The number of sections adopted using:**

Negotiated rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Pilot rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Other alternative rule making:	New	<u>0</u>	Amended	<u>1</u>	Repealed	<u>0</u>

**Date Adopted:** July 12, 2024

**Name:** Hawkins DeFrance, PharmD

**Title:** Pharmacy Quality Assurance Commission Chair

**Signature:**



**WAC 246-945-507 Department of fish and wildlife chemical capture programs—Approved legend drugs and approved controlled substances.**

(1) The following legend drugs are designated as "approved legend drugs" for use by registered department of fish and wildlife chemical capture programs:

- (a) Acetylpromazine;
- (b) Atipamezole;
- (c) Azaperone;
- (d) Ceftiofur hydrochloride;
- (e) Cephapirin benzathine;
- (f) Detomidine;
- ~~((e))~~ (g) Dexmedetomidine;
- ~~((f))~~ (h) Hetacillin potassium;
- (i) Isoflurane;
- ~~((g))~~ (j) Medetomidine;
- ~~((h))~~ (k) Naltrexone;
- ~~((i))~~ (l) Penicillin G procaine;
- (m) Tolazoline;
- ~~((j))~~ (n) Xylazine; and
- ~~((k))~~ (o) Yohimbine.

(2) The following controlled substances are controlled substances approved for use by registered department of fish and wildlife chemical capture programs:

- (a) Butorphanol;
- (b) Carfentanil;
- (c) Diazepam;
- ~~((e))~~ (d) Diprenorphine;
- ~~((d) Carfentanil;))~~
- (e) Fentanyl;
- (f) Ketamine;
- (g) Midazolam;
- (h) Tiletamine; and
- (i) Zolazepam.

(3) Staff of registered department of fish and wildlife chemical capture programs may administer legend drugs and controlled substances which have been prescribed by a licensed veterinarian for a specific animal or management group of animals, which have been dispensed by a pharmacy or a veterinarian and are properly labeled in accordance with either RCW 18.64.246 or 69.41.050 and WAC 246-945-015 through 246-945-017 or 246-933-340 (5) (a) and (b).