
SENATE BILL 6019

State of Washington

68th Legislature

2024 Regular Session

By Senators Muzzall, Braun, Frame, and Short

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1 AN ACT Relating to expanding prescriptive authority for
2 pharmacists; amending RCW 18.64.011 and 69.41.030; reenacting and
3 amending RCW 69.50.101; adding a new section to chapter 18.64 RCW;
4 and providing an effective date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 18.64.011 and 2021 c 78 s 1 are each amended to read
7 as follows:

8 The definitions in this section apply throughout this chapter
9 unless the context clearly requires otherwise.

10 (1) "Administer" means the direct application of a drug or
11 device, whether by injection, inhalation, ingestion, or any other
12 means, to the body of a patient or research subject.

13 (2) "Business licensing system" means the mechanism established
14 by chapter 19.02 RCW by which business licenses, endorsed for
15 individual state-issued licenses, are issued and renewed utilizing a
16 business license application and a business license expiration date
17 common to each renewable license endorsement.

18 (3) "Chart order" means a lawful order for a drug or device
19 entered on the chart or medical record of an inpatient or resident of
20 an institutional facility by a practitioner or his or her designated
21 agent.

1 (4) "Closed door long-term care pharmacy" means a pharmacy that
2 provides pharmaceutical care to a defined and exclusive group of
3 patients who have access to the services of the pharmacy because they
4 are treated by or have an affiliation with a long-term care facility
5 or hospice program, and that is not a retailer of goods to the
6 general public.

7 (5) "Commission" means the pharmacy quality assurance commission.

8 (6) "Compounding" means the act of combining two or more
9 ingredients in the preparation of a prescription. Reconstitution and
10 mixing of (a) sterile products according to federal food and drug
11 administration-approved labeling does not constitute compounding if
12 prepared pursuant to a prescription and administered immediately or
13 in accordance with package labeling, and (b) nonsterile products
14 according to federal food and drug administration-approved labeling
15 does not constitute compounding if prepared pursuant to a
16 prescription.

17 (7) "Controlled substance" means a drug or substance, or an
18 immediate precursor of such drug or substance, so designated under or
19 pursuant to the provisions of chapter 69.50 RCW.

20 (8) "Deliver" or "delivery" means the actual, constructive, or
21 attempted transfer from one person to another of a drug or device,
22 whether or not there is an agency relationship.

23 (9) "Department" means the department of health.

24 (10) "Device" means instruments, apparatus, and contrivances,
25 including their components, parts, and accessories, intended (a) for
26 use in the diagnosis, cure, mitigation, treatment, or prevention of
27 disease in human beings or other animals, or (b) to affect the
28 structure or any function of the body of human beings or other
29 animals.

30 (11) "Dispense" means the interpretation of a prescription or
31 order for a drug, biological, or device and, pursuant to that
32 prescription or order, the proper selection, measuring, compounding,
33 labeling, or packaging necessary to prepare that prescription or
34 order for delivery.

35 (12) "Distribute" means the delivery of a drug or device other
36 than by administering or dispensing.

37 (13) "Drug" and "devices" do not include surgical or dental
38 instruments or laboratory materials, gas and oxygen, therapy
39 equipment, X-ray apparatus or therapeutic equipment, their component
40 parts or accessories, or equipment, instruments, apparatus, or

1 contrivances used to render such articles effective in medical,
2 surgical, or dental treatment, or for use or consumption in or for
3 mechanical, industrial, manufacturing, or scientific applications or
4 purposes. "Drug" also does not include any article or mixture covered
5 by the Washington pesticide control act (chapter 15.58 RCW), as
6 enacted or hereafter amended, nor medicated feed intended for and
7 used exclusively as a feed for animals other than human beings.

8 (14) "Drugs" means:

9 (a) Articles recognized in the official United States
10 pharmacopoeia or the official homeopathic pharmacopoeia of the United
11 States;

12 (b) Substances intended for use in the diagnosis, cure,
13 mitigation, treatment, or prevention of disease in human beings or
14 other animals;

15 (c) Substances (other than food) intended to affect the structure
16 or any function of the body of human beings or other animals; or

17 (d) Substances intended for use as a component of any substances
18 specified in (a), (b), or (c) of this subsection, but not including
19 devices or their component parts or accessories.

20 (15) "Health care entity" means an organization that provides
21 health care services in a setting that is not otherwise licensed by
22 the state to acquire or possess legend drugs. Health care entity
23 includes a freestanding outpatient surgery center, a residential
24 treatment facility, and a freestanding cardiac care center. "Health
25 care entity" does not include an individual practitioner's office or
26 a multipractitioner clinic, regardless of ownership, unless the owner
27 elects licensure as a health care entity. "Health care entity" also
28 does not include an individual practitioner's office or
29 multipractitioner clinic identified by a hospital on a pharmacy
30 application or renewal pursuant to RCW 18.64.043.

31 (16) "Hospice program" means a hospice program certified or paid
32 by medicare under Title XVIII of the federal social security act, or
33 a hospice program licensed under chapter 70.127 RCW.

34 (17) "Institutional facility" means any organization whose
35 primary purpose is to provide a physical environment for patients to
36 obtain health care services including, but not limited to, services
37 in a hospital, long-term care facility, hospice program, mental
38 health facility, drug abuse treatment center, residential
39 habilitation center, or a local, state, or federal correction
40 facility.

1 (18) "Labeling" means the process of preparing and affixing a
2 label to any drug or device container. The label must include all
3 information required by current federal and state law and pharmacy
4 rules.

5 (19) "Legend drugs" means any drugs which are required by any
6 applicable federal or state law or regulation to be dispensed on
7 prescription only or are restricted to use by practitioners only.

8 (20) "Long-term care facility" means a nursing home licensed
9 under chapter 18.51 RCW, an assisted living facility licensed under
10 chapter 18.20 RCW, or an adult family home licensed under chapter
11 70.128 RCW.

12 (21) "Manufacture" means the production, preparation,
13 propagation, compounding, or processing of a drug or other substance
14 or device or the packaging or repackaging of such substance or
15 device, or the labeling or relabeling of the commercial container of
16 such substance or device, but does not include the activities of a
17 practitioner who, as an incident to his or her administration or
18 dispensing such substance or device in the course of his or her
19 professional practice, personally prepares, compounds, packages, or
20 labels such substance or device. "Manufacture" includes the
21 distribution of a licensed pharmacy compounded drug product to other
22 state licensed persons or commercial entities for subsequent resale
23 or distribution, unless a specific product item has approval of the
24 commission. The term does not include:

25 (a) The activities of a licensed pharmacy that compounds a
26 product on or in anticipation of an order of a licensed practitioner
27 for use in the course of their professional practice to administer to
28 patients, either personally or under their direct supervision;

29 (b) The practice of a licensed pharmacy when repackaging
30 commercially available medication in small, reasonable quantities for
31 a practitioner legally authorized to prescribe the medication for
32 office use only;

33 (c) The distribution of a drug product that has been compounded
34 by a licensed pharmacy to other appropriately licensed entities under
35 common ownership or control of the facility in which the compounding
36 takes place; or

37 (d) The delivery of finished and appropriately labeled compounded
38 products dispensed pursuant to a valid prescription to alternate
39 delivery locations, other than the patient's residence, when

1 requested by the patient, or the prescriber to administer to the
2 patient, or to another licensed pharmacy to dispense to the patient.

3 (22) "Manufacturer" means a person, corporation, or other entity
4 engaged in the manufacture of drugs or devices.

5 (23) "Nonlegend" or "nonprescription" drugs means any drugs which
6 may be lawfully sold without a prescription.

7 (24) "Person" means an individual, corporation, government,
8 governmental subdivision or agency, business trust, estate, trust,
9 partnership or association, or any other legal entity.

10 (25) "Pharmacist" means a person duly licensed by the commission
11 to engage in the practice of pharmacy.

12 (26) "Pharmacy" means every place properly licensed by the
13 commission where the practice of pharmacy is conducted.

14 (27) "Poison" does not include any article or mixture covered by
15 the Washington pesticide control act (chapter 15.58 RCW), as enacted
16 or hereafter amended.

17 (28) "Practice of pharmacy" includes the practice of and
18 responsibility for: Interpreting prescription orders; the
19 compounding, dispensing, labeling, administering, and distributing of
20 drugs and devices; the monitoring of drug therapy and use; the
21 initiating or modifying of drug therapy in accordance with written
22 guidelines or protocols previously established and approved for his
23 or her practice by a practitioner authorized to prescribe drugs; the
24 prescribing and ordering of drugs and devices as authorized by the
25 commission in rule; the participating in drug utilization reviews and
26 drug product selection; the proper and safe storing and distributing
27 of drugs and devices and maintenance of proper records thereof; the
28 providing of information on legend drugs which may include, but is
29 not limited to, the advising of therapeutic values, hazards, and the
30 uses of drugs and devices.

31 (29) "Practitioner" means a physician, dentist, veterinarian,
32 nurse, or other person duly authorized by law or rule in the state of
33 Washington to prescribe drugs.

34 (30) "Prescription" means an order for drugs or devices issued by
35 a practitioner duly authorized by law or rule in the state of
36 Washington to prescribe drugs or devices in the course of his or her
37 professional practice for a legitimate medical purpose.

38 (31) "Secretary" means the secretary of health or the secretary's
39 designee.

1 (32) "Shared pharmacy services" means a system that allows a
2 participating pharmacist or pharmacy pursuant to a request from
3 another participating pharmacist or pharmacy to process or fill a
4 prescription or drug order, which may include but is not necessarily
5 limited to preparing, packaging, labeling, data entry, compounding
6 for specific patients, dispensing, performing drug utilization
7 reviews, conducting claims adjudication, obtaining refill
8 authorizations, reviewing therapeutic interventions, or reviewing
9 chart orders.

10 (33) "Wholesaler" means a corporation, individual, or other
11 entity which buys drugs or devices for resale and distribution to
12 corporations, individuals, or entities other than consumers.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 18.64
14 RCW to read as follows:

15 By July 1, 2026, the commission shall adopt rules identifying
16 specific drugs and devices, types or classes of drugs and devices, or
17 both, that a pharmacist may prescribe in the absence of written
18 guidelines or protocols previously established and approved for the
19 pharmacist's practice by a practitioner authorized to prescribe
20 drugs. The rules may also establish the types of patients or
21 circumstances in which a pharmacist may or may not prescribe or order
22 drugs or devices and any required education, training, or continuing
23 education that must be completed prior to prescribing or ordering
24 drugs or devices.

25 **Sec. 3.** RCW 69.41.030 and 2023 1st sp.s. c 1 s 4 are each
26 amended to read as follows:

27 (1) It shall be unlawful for any person to sell or deliver any
28 legend drug, or knowingly possess any legend drug, or knowingly use
29 any legend drug in a public place, except upon the order or
30 prescription of a physician under chapter 18.71 RCW, an osteopathic
31 physician and surgeon under chapter 18.57 RCW, an optometrist
32 licensed under chapter 18.53 RCW who is certified by the optometry
33 board under RCW 18.53.010, a dentist under chapter 18.32 RCW, a
34 podiatric physician and surgeon under chapter 18.22 RCW, a
35 veterinarian under chapter 18.92 RCW, a commissioned medical or
36 dental officer in the United States armed forces or public health
37 service in the discharge of his or her official duties, a duly
38 licensed physician or dentist employed by the veterans administration

1 in the discharge of his or her official duties, a registered nurse or
2 advanced registered nurse practitioner under chapter 18.79 RCW when
3 authorized by the (~~nursing care quality assurance commission~~) board
4 of nursing, a pharmacist licensed under chapter 18.64 RCW to the
5 extent permitted (~~by drug therapy guidelines or protocols~~
6 ~~established under RCW 18.64.011 and authorized by the commission and~~
7 ~~approved by a practitioner authorized to prescribe drugs~~) under
8 chapter 18.64 RCW or when authorized by the commission, a physician
9 assistant under chapter 18.71A RCW when authorized by the Washington
10 medical commission, or any of the following professionals in any
11 province of Canada that shares a common border with the state of
12 Washington or in any state of the United States: A physician licensed
13 to practice medicine and surgery or a physician licensed to practice
14 osteopathic medicine and surgery, a dentist licensed to practice
15 dentistry, a podiatric physician and surgeon licensed to practice
16 podiatric medicine and surgery, a licensed advanced registered nurse
17 practitioner, a licensed physician assistant, or a veterinarian
18 licensed to practice veterinary medicine: PROVIDED, HOWEVER, That the
19 above provisions shall not apply to sale, delivery, or possession by
20 drug wholesalers or drug manufacturers, or their agents or employees,
21 or to any practitioner acting within the scope of his or her license,
22 or to a common or contract carrier or warehouse operator, or any
23 employee thereof, whose possession of any legend drug is in the usual
24 course of business or employment: PROVIDED FURTHER, That nothing in
25 this chapter or chapter 18.64 RCW shall prevent a family planning
26 clinic that is under contract with the health care authority from
27 selling, delivering, possessing, and dispensing commercially
28 prepackaged oral contraceptives prescribed by authorized, licensed
29 health care practitioners: PROVIDED FURTHER, That nothing in this
30 chapter prohibits possession or delivery of legend drugs by an
31 authorized collector or other person participating in the operation
32 of a drug take-back program authorized in chapter 69.48 RCW.

33 (2) (a) A violation of this section involving the sale, delivery,
34 or possession with intent to sell or deliver is a class B felony
35 punishable according to chapter 9A.20 RCW.

36 (b) A violation of this section involving knowing possession is a
37 misdemeanor. The prosecutor is encouraged to divert such cases for
38 assessment, treatment, or other services.

1 (c) A violation of this section involving knowing use in a public
2 place is a misdemeanor. The prosecutor is encouraged to divert such
3 cases for assessment, treatment, or other services.

4 (d) No person may be charged with both knowing possession and
5 knowing use in a public place under this section relating to the same
6 course of conduct.

7 (e) In lieu of jail booking and referral to the prosecutor for a
8 violation of this section involving knowing possession, or knowing
9 use in a public place, law enforcement is encouraged to offer a
10 referral to assessment and services available under RCW 10.31.110 or
11 other program or entity responsible for receiving referrals in lieu
12 of legal system involvement, which may include, but are not limited
13 to, arrest and jail alternative programs established under RCW
14 36.28A.450, law enforcement assisted diversion programs established
15 under RCW 71.24.589, and the recovery navigator program established
16 under RCW 71.24.115.

17 (3) For the purposes of this section, "public place" has the same
18 meaning as defined in RCW 66.04.010, but the exclusions in RCW
19 66.04.011 do not apply.

20 (4) For the purposes of this section, "use any legend drug" means
21 to introduce the drug into the human body by injection, inhalation,
22 ingestion, or any other means.

23 **Sec. 4.** RCW 69.50.101 and 2023 c 365 s 2 and 2023 c 220 s 6 are
24 each reenacted and amended to read as follows:

25 The definitions in this section apply throughout this chapter
26 unless the context clearly requires otherwise.

27 ~~((1) [(1)])~~ (1) "Administer" means to apply a controlled
28 substance, whether by injection, inhalation, ingestion, or any other
29 means, directly to the body of a patient or research subject by:

30 ~~((1) [(a)] a)~~ (a) A practitioner authorized to prescribe (or,
31 by the practitioner's authorized agent); or

32 ~~((2) [(b)] the)~~ (b) The patient or research subject at the
33 direction and in the presence of the practitioner.

34 ~~((b) [(2)])~~ (2) "Agent" means an authorized person who acts on
35 behalf of or at the direction of a manufacturer, distributor, or
36 dispenser. It does not include a common or contract carrier, public
37 warehouseperson, or employee of the carrier or warehouseperson.

38 ~~((c) [(3)])~~ (3) "Board" means the Washington state liquor and
39 cannabis board.

1 (~~(d)~~—[~~(4)~~]) (4) "Cannabis" means all parts of the plant
2 *Cannabis*, whether growing or not, with a THC concentration greater
3 than 0.3 percent on a dry weight basis during the growing cycle
4 through harvest and usable cannabis. "Cannabis" does not include hemp
5 or industrial hemp as defined in RCW 15.140.020, or seeds used for
6 licensed hemp production under chapter 15.140 RCW.

7 (~~(e)~~—[~~(5)~~]) (5) "Cannabis concentrates" means products
8 consisting wholly or in part of the resin extracted from any part of
9 the plant *Cannabis* and having a THC concentration greater than ten
10 percent.

11 (~~(f)~~—[~~(6)~~]) (6) "Cannabis processor" means a person licensed by
12 the board to process cannabis into cannabis concentrates, useable
13 cannabis, and cannabis-infused products, package and label cannabis
14 concentrates, useable cannabis, and cannabis-infused products for
15 sale in retail outlets, and sell cannabis concentrates, useable
16 cannabis, and cannabis-infused products at wholesale to cannabis
17 retailers.

18 (~~(g)~~—[~~(7)~~]) (7) "Cannabis producer" means a person licensed by
19 the board to produce and sell cannabis at wholesale to cannabis
20 processors and other cannabis producers.

21 (~~(h)(1)~~—[~~(8)(a)~~]) (8)(a) "Cannabis products" means useable
22 cannabis, cannabis concentrates, and cannabis-infused products as
23 defined in this section, including any product intended to be
24 consumed or absorbed inside the body by any means including
25 inhalation, ingestion, or insertion, with any detectable amount of
26 THC.

27 (~~(2)~~—[~~(b)~~]) (b) "Cannabis products" also means any product
28 containing only THC content.

29 (~~(3)~~—[~~(e)~~]) (c) "Cannabis products" does not include cannabis
30 health and beauty aids as defined in RCW 69.50.575 or products
31 approved by the United States food and drug administration.

32 (~~(i)~~—[~~(9)~~]) (9) "Cannabis researcher" means a person licensed
33 by the board to produce, process, and possess cannabis for the
34 purposes of conducting research on cannabis and cannabis-derived drug
35 products.

36 (~~(j)~~—[~~(10)~~]) (10) "Cannabis retailer" means a person licensed
37 by the board to sell cannabis concentrates, useable cannabis, and
38 cannabis-infused products in a retail outlet.

39 (~~(k)~~—[~~(11)~~]) (11) "Cannabis-infused products" means products
40 that contain cannabis or cannabis extracts, are intended for human

1 use, are derived from cannabis as defined in subsection (~~(d)~~~~[(4)]~~)
2 (4) of this section, and have a THC concentration no greater than ten
3 percent. The term "cannabis-infused products" does not include either
4 useable cannabis or cannabis concentrates.

5 (~~(1)~~~~[(12)]~~) (12) "CBD concentration" has the meaning provided
6 in RCW 69.51A.010.

7 (~~(m)~~~~[(13)]~~) (13) "CBD product" means any product containing or
8 consisting of cannabidiol.

9 (~~(n)~~~~[(14)]~~) (14) "Commission" means the pharmacy quality
10 assurance commission.

11 (~~(o)~~~~[(15)]~~) (15) "Controlled substance" means a drug,
12 substance, or immediate precursor included in Schedules I through V
13 as set forth in federal or state laws, or federal or commission
14 rules, but does not include hemp or industrial hemp as defined in RCW
15 15.140.020.

16 (~~(p)~~~~(1)~~~~[(16)(a)]~~) (16)(a) "Controlled substance analog" means
17 a substance the chemical structure of which is substantially similar
18 to the chemical structure of a controlled substance in Schedule I or
19 II and:

20 (i) that has a stimulant, depressant, or hallucinogenic effect on
21 the central nervous system substantially similar to the stimulant,
22 depressant, or hallucinogenic effect on the central nervous system of
23 a controlled substance included in Schedule I or II; or

24 (ii) with respect to a particular individual, that the individual
25 represents or intends to have a stimulant, depressant, or
26 hallucinogenic effect on the central nervous system substantially
27 similar to the stimulant, depressant, or hallucinogenic effect on the
28 central nervous system of a controlled substance included in Schedule
29 I or II.

30 (~~(2)~~~~[(b)]~~) (b) The term does not include:

31 (i) a controlled substance;

32 (ii) a substance for which there is an approved new drug
33 application;

34 (iii) a substance with respect to which an exemption is in effect
35 for investigational use by a particular person under Section 505 of
36 the federal food, drug, and cosmetic act, 21 U.S.C. Sec. 355, or
37 chapter 69.77 RCW to the extent conduct with respect to the substance
38 is pursuant to the exemption; or

1 (iv) any substance to the extent not intended for human
2 consumption before an exemption takes effect with respect to the
3 substance.

4 (~~(q)~~—~~[(17)]~~) (17) "Deliver" or "delivery" means the actual or
5 constructive transfer from one person to another of a substance,
6 whether or not there is an agency relationship.

7 (~~(r)~~—~~[(18)]~~) (18) "Department" means the department of health.

8 (~~(s)~~—~~[(19)]~~) (19) "Designated provider" has the meaning
9 provided in RCW 69.51A.010.

10 (~~(t)~~—~~[(20)]~~) (20) "Dispense" means the interpretation of a
11 prescription or order for a controlled substance and, pursuant to
12 that prescription or order, the proper selection, measuring,
13 compounding, labeling, or packaging necessary to prepare that
14 prescription or order for delivery.

15 (~~(u)~~—~~[(21)]~~) (21) "Dispenser" means a practitioner who
16 dispenses.

17 (~~(v)~~—~~[(22)]~~) (22) "Distribute" means to deliver other than by
18 administering or dispensing a controlled substance.

19 (~~(w)~~—~~[(23)]~~) (23) "Distributor" means a person who distributes.

20 (~~(x)~~—~~[(24)]~~) (24) "Drug" means (~~(1)~~—~~[(a)]~~) (a) a controlled
21 substance recognized as a drug in the official United States
22 pharmacopoeia/national formulary or the official homeopathic
23 pharmacopoeia of the United States, or any supplement to them; (~~(2)~~—
24 ~~[(b)]~~) (b) controlled substances intended for use in the diagnosis,
25 cure, mitigation, treatment, or prevention of disease in individuals
26 or animals; (~~(3)~~—~~[(c)]~~) (c) controlled substances (other than food)
27 intended to affect the structure or any function of the body of
28 individuals or animals; and (~~(4)~~—~~[(d)]~~) (d) controlled substances
29 intended for use as a component of any article specified in (~~(1)~~—
30 ~~(2), or (3)~~—~~[(a), (b), or (c)]~~) (a), (b), or (c) of this subsection.
31 The term does not include devices or their components, parts, or
32 accessories.

33 (~~(y)~~—~~[(25)]~~) (25) "Drug enforcement administration" means the
34 drug enforcement administration in the United States Department of
35 Justice, or its successor agency.

36 (~~(z)~~—~~[(26)]~~) (26) "Electronic communication of prescription
37 information" means the transmission of a prescription or refill
38 authorization for a drug of a practitioner using computer systems.
39 The term does not include a prescription or refill authorization

1 verbally transmitted by telephone nor a facsimile manually signed by
2 the practitioner.

3 ~~((aa) [(27)])~~ (27) "Immature plant or clone" means a plant or
4 clone that has no flowers, is less than twelve inches in height, and
5 is less than twelve inches in diameter.

6 ~~((bb) [(28)])~~ (28) "Immediate precursor" means a substance:

7 ~~((1) [(a)] that)~~ (a) That the commission has found to be and by
8 rule designates as being the principal compound commonly used, or
9 produced primarily for use, in the manufacture of a controlled
10 substance;

11 ~~((2) [(b)] that)~~ (b) That is an immediate chemical intermediary
12 used or likely to be used in the manufacture of a controlled
13 substance; and

14 ~~((3) [(c)] the)~~ (c) The control of which is necessary to
15 prevent, curtail, or limit the manufacture of the controlled
16 substance.

17 ~~((ee) [(29)])~~ (29) "Isomer" means an optical isomer, but in
18 subsection ~~((gg) (5) [(33) (e)])~~ (33) (e) of this section, RCW
19 69.50.204 ~~((a) (12) and (34) [(1) (1) and (hh)])~~ (1) (1) and (hh),
20 and 69.50.206 ~~((b) (4) [(2) (d)])~~ (2) (d), the term includes any
21 geometrical isomer; in RCW 69.50.204 ~~((a) (8) and (42) [(1) (h) and~~
22 ~~(pp)])~~ (1) (h) and (pp), and 69.50.210 ~~((e) [(3)])~~ (3) the term
23 includes any positional isomer; and in RCW 69.50.204 ~~((a) (35)~~
24 ~~[(1) (ii)])~~ (1) (ii), 69.50.204 ~~((e) [(3)])~~ (3), and 69.50.208 ~~((a)~~
25 ~~[(1)])~~ (1) the term includes any positional or geometric isomer.

26 ~~((dd) [(30)])~~ (30) "Lot" means a definite quantity of cannabis,
27 cannabis concentrates, useable cannabis, or cannabis-infused product
28 identified by a lot number, every portion or package of which is
29 uniform within recognized tolerances for the factors that appear in
30 the labeling.

31 ~~((ee) [(31)])~~ (31) "Lot number" must identify the licensee by
32 business or trade name and Washington state unified business
33 identifier number, and the date of harvest or processing for each lot
34 of cannabis, cannabis concentrates, useable cannabis, or cannabis-
35 infused product.

36 ~~((ff) [(32)])~~ (32) "Manufacture" means the production,
37 preparation, propagation, compounding, conversion, or processing of a
38 controlled substance, either directly or indirectly or by extraction
39 from substances of natural origin, or independently by means of
40 chemical synthesis, or by a combination of extraction and chemical

1 synthesis, and includes any packaging or repackaging of the substance
2 or labeling or relabeling of its container. The term does not include
3 the preparation, compounding, packaging, repackaging, labeling, or
4 relabeling of a controlled substance:

5 ~~((1) [(a)] by)~~ (a) By a practitioner as an incident to the
6 practitioner's administering or dispensing of a controlled substance
7 in the course of the practitioner's professional practice; or

8 ~~((2) [(b)] by)~~ (b) By a practitioner, or by the practitioner's
9 authorized agent under the practitioner's supervision, for the
10 purpose of, or as an incident to, research, teaching, or chemical
11 analysis and not for sale.

12 ~~((gg) [(33)])~~ (33) "Narcotic drug" means any of the following,
13 whether produced directly or indirectly by extraction from substances
14 of vegetable origin, or independently by means of chemical synthesis,
15 or by a combination of extraction and chemical synthesis:

16 ~~((1) [(a)])~~ (a) Opium, opium derivative, and any derivative of
17 opium or opium derivative, including their salts, isomers, and salts
18 of isomers, whenever the existence of the salts, isomers, and salts
19 of isomers is possible within the specific chemical designation. The
20 term does not include the isoquinoline alkaloids of opium.

21 ~~((2) [(b)])~~ (b) Synthetic opiate and any derivative of
22 synthetic opiate, including their isomers, esters, ethers, salts, and
23 salts of isomers, esters, and ethers, whenever the existence of the
24 isomers, esters, ethers, and salts is possible within the specific
25 chemical designation.

26 ~~((3) [(c)])~~ (c) Poppy straw and concentrate of poppy straw.

27 ~~((4) [(d)])~~ (d) Coca leaves, except coca leaves and extracts of
28 coca leaves from which cocaine, ecgonine, and derivatives or ecgonine
29 or their salts have been removed.

30 ~~((5) [(e)])~~ (e) Cocaine, or any salt, isomer, or salt of isomer
31 thereof.

32 ~~((6) [(f)])~~ (f) Cocaine base.

33 ~~((7) [(g)])~~ (g) Ecgonine, or any derivative, salt, isomer, or
34 salt of isomer thereof.

35 ~~((8) [(h)])~~ (h) Any compound, mixture, or preparation
36 containing any quantity of any substance referred to in ~~((1) [(a)])~~
37 (a) through ~~((7) [(g)])~~ (g) of this subsection.

38 ~~((hh) [(34)])~~ (34) "Opiate" means any substance having an
39 addiction-forming or addiction-sustaining liability similar to
40 morphine or being capable of conversion into a drug having addiction-

1 forming or addiction-sustaining liability. The term includes opium,
2 substances derived from opium (opium derivatives), and synthetic
3 opiates. The term does not include, unless specifically designated as
4 controlled under RCW 69.50.201, the dextrorotatory isomer of 3-
5 methoxy-n-methylmorphinan and its salts (dextromethorphan). The term
6 includes the racemic and levorotatory forms of dextromethorphan.

7 ~~((ii) [(35)])~~ (35) "Opium poppy" means the plant of the species
8 *Papaver somniferum* L., except its seeds.

9 ~~((jj) [(36)])~~ (36) "Package" means a container that has a
10 single unit or group of units.

11 ~~((kk) [(37)])~~ (37) "Person" means individual, corporation,
12 business trust, estate, trust, partnership, association, joint
13 venture, government, governmental subdivision or agency, or any other
14 legal or commercial entity.

15 ~~((ll) [(38)])~~ (38) "Plant" has the meaning provided in RCW
16 69.51A.010.

17 ~~((mm) [(39)])~~ (39) "Poppy straw" means all parts, except the
18 seeds, of the opium poppy, after mowing.

19 ~~((nn) [(40)])~~ (40) "Practitioner" means:

20 ~~((1) [(a)])~~ (a) A physician under chapter 18.71 RCW; a
21 physician assistant under chapter 18.71A RCW; an osteopathic
22 physician and surgeon under chapter 18.57 RCW; an optometrist
23 licensed under chapter 18.53 RCW who is certified by the optometry
24 board under RCW 18.53.010 subject to any limitations in RCW
25 18.53.010; a dentist under chapter 18.32 RCW; a podiatric physician
26 and surgeon under chapter 18.22 RCW; a veterinarian under chapter
27 18.92 RCW; a registered nurse, advanced registered nurse
28 practitioner, or licensed practical nurse under chapter 18.79 RCW; a
29 naturopathic physician under chapter 18.36A RCW who is licensed under
30 RCW 18.36A.030 subject to any limitations in RCW 18.36A.040; a
31 pharmacist under chapter 18.64 RCW subject to any limitations in RCW
32 18.64.011, section 2 of this act, and rules adopted by the
33 commission; or a scientific investigator under this chapter,
34 licensed, registered or otherwise permitted insofar as is consistent
35 with those licensing laws to distribute, dispense, conduct research
36 with respect to or administer a controlled substance in the course of
37 their professional practice or research in this state.

38 ~~((2) [(b)])~~ (b) A pharmacy, hospital or other institution
39 licensed, registered, or otherwise permitted to distribute, dispense,
40 conduct research with respect to or to administer a controlled

1 substance in the course of professional practice or research in this
2 state.

3 ~~((3) [(e)])~~ (c) A physician licensed to practice medicine and
4 surgery, a physician licensed to practice osteopathic medicine and
5 surgery, a dentist licensed to practice dentistry, a podiatric
6 physician and surgeon licensed to practice podiatric medicine and
7 surgery, a licensed physician assistant or a licensed osteopathic
8 physician assistant specifically approved to prescribe controlled
9 substances by his or her state's medical commission or equivalent and
10 his or her supervising physician, an advanced registered nurse
11 practitioner licensed to prescribe controlled substances, or a
12 veterinarian licensed to practice veterinary medicine in any state of
13 the United States.

14 ~~((40) [(41)])~~ (41) "Prescription" means an order for controlled
15 substances issued by a practitioner duly authorized by law or rule in
16 the state of Washington to prescribe controlled substances within the
17 scope of his or her professional practice for a legitimate medical
18 purpose.

19 ~~((42) [(42)])~~ (42) "Production" includes the manufacturing,
20 planting, cultivating, growing, or harvesting of a controlled
21 substance.

22 ~~((43) [(43)])~~ (43) "Qualifying patient" has the meaning
23 provided in RCW 69.51A.010.

24 ~~((44) [(44)])~~ (44) "Recognition card" has the meaning provided
25 in RCW 69.51A.010.

26 ~~((45) [(45)])~~ (45) "Retail outlet" means a location licensed by
27 the board for the retail sale of cannabis concentrates, useable
28 cannabis, and cannabis-infused products.

29 ~~((46) [(46)])~~ (46) "Secretary" means the secretary of health or
30 the secretary's designee.

31 ~~((47) [(47)])~~ (47) "Social equity plan" means a plan that
32 addresses at least some of the elements outlined in this subsection
33 ~~((47) [(47)])~~ (47), along with any additional plan components or
34 requirements approved by the board following consultation with the
35 task force created in RCW 69.50.336. The plan may include:

36 ~~((1) [(a)])~~ (a) A statement that indicates how the cannabis
37 licensee will work to promote social equity goals in their community;

38 ~~((2) [(b)])~~ (b) A description of how the cannabis licensee will
39 meet social equity goals as defined in RCW 69.50.335;

1 (~~(3)~~—~~{(e)}~~) (c) The composition of the workforce the licensee
2 has employed or intends to hire; and

3 (~~(4)~~—~~{(d)}~~) (d) Business plans involving partnerships or
4 assistance to organizations or residents with connections to
5 populations with a history of high rates of enforcement of cannabis
6 prohibition.

7 (~~(vv)~~—~~{(48)}~~) (48) "State," unless the context otherwise
8 requires, means a state of the United States, the District of
9 Columbia, the Commonwealth of Puerto Rico, or a territory or insular
10 possession subject to the jurisdiction of the United States.

11 (~~(ww)~~—~~{(49)}~~) (49) "THC concentration" means percent of
12 tetrahydrocannabinol content of any part of the plant *Cannabis*, or
13 per volume or weight of cannabis product, or the combined percent of
14 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of
15 the plant *Cannabis* regardless of moisture content.

16 (~~(xx)~~—~~{(50)}~~) (50) "Ultimate user" means an individual who
17 lawfully possesses a controlled substance for the individual's own
18 use or for the use of a member of the individual's household or for
19 administering to an animal owned by the individual or by a member of
20 the individual's household.

21 (~~(yy)~~—~~{(51)}~~) (51) "Unit" means an individual consumable item
22 within a package of one or more consumable items in solid, liquid,
23 gas, or any form intended for human consumption.

24 (~~(zz)~~—~~{(52)}~~) (52) "Useable cannabis" means dried cannabis
25 flowers. The term "useable cannabis" does not include either
26 cannabis-infused products or cannabis concentrates.

27 (~~(aaa)~~—~~{(53)}~~) (53) "Youth access" means the level of interest
28 persons under the age of twenty-one may have in a vapor product, as
29 well as the degree to which the product is available or appealing to
30 such persons, and the likelihood of initiation, use, or addiction by
31 adolescents and young adults.

32 NEW SECTION. **Sec. 5.** Sections 1, 3, and 4 of this act take
33 effect July 1, 2026.

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