



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: February 15, 2021

TIME: 11:16 AM

WSR 21-05-054

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: Title 246 WAC, rules regarding the practice of pharmacy. The Pharmacy Quality Assurance Commission (commission) recently completed a two-and-a-half-year process to consolidate all chapters of rule under Title 246 WAC within its authority into one new chapter, chapter 246-945 WAC. This package repeals the chapters of rules relating to pharmacy that were replaced by chapter 246-945 WAC, with the exception of the continuing education (CE) sections, which have a delayed effective date in the new chapter to align with rulemaking currently in progress regarding fees collected by the commission. Chapter 246-861 WAC and WAC 246-901-061, existing CE rules, will be repealed when the new CE rules in chapter 246-945 become effective.

Citation of rules affected by this order:

New: N/A

Repealed: Chapters 246-856 WAC, 246-858 WAC, 246-860 WAC, 246-863 WAC, 246-865 WAC, 246-867 WAC, 246-869 WAC, 246-870 WAC, 246-871 WAC, 246-873 WAC, 246-874 WAC, 246-875 WAC, 246-877 WAC, 246-878 WAC, 246-879 WAC, 246-881 WAC, 246-883 WAC, 246-885 WAC, 246-886 WAC, 246-887 WAC, 246-888 WAC, 246-889 WAC, 246-891 WAC, 246-895 WAC, 246-897 WAC, 246-899 WAC, 246-901 WAC (except for WAC 246-901-061), 246-903 WAC, 246-904 WAC, and 246-905 WAC.

Amended: N/A

Suspended: N/A

Statutory authority for adoption: 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, 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, 69.50.310, 69.41.075

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 20-16-045 on 07/27/2020 (date).

Describe any changes other than editing from proposed to 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:
- 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 in the agency's own initiative:

New	<u>0</u>	Amended	<u>0</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>0</u>	Repealed	<u>259</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>0</u>	Repealed	<u>259</u>

Date Adopted: 12/3/2021

Name: Tim Lynch, PharmD, MS, FABC, FASHP

Title: Pharmacy Quality Assurance Commission Chair

Signature:



REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-856-001	Purpose.
WAC 246-856-020	Adjudicative proceedings—Procedural rules for the board of pharmacy.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-858-020	General requirements.
WAC 246-858-030	Registration of interns.
WAC 246-858-040	Rules for the pharmacy intern.
WAC 246-858-050	Intern training reports.
WAC 246-858-060	Requirements for preceptor certification.
WAC 246-858-070	Rules for preceptors.
WAC 246-858-080	Special internship approval.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-860-010	Purpose of chapter.
WAC 246-860-020	Definitions.
WAC 246-860-100	Sexual misconduct.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-863-020	Examinations.
WAC 246-863-030	Applicants—Reciprocity applicants.
WAC 246-863-035	Temporary permits.
WAC 246-863-040	Foreign-trained applicants.
WAC 246-863-060	Licensed pharmacists—Employed as responsible managers—Duty to notify board.
WAC 246-863-070	Inactive credential.
WAC 246-863-080	Retired pharmacist license.
WAC 246-863-090	Expired license.
WAC 246-863-095	Pharmacist's professional responsibilities.
WAC 246-863-100	Pharmacist prescriptive authority—Prior board notification of written guideline or protocol required.
WAC 246-863-110	Monitoring of drug therapy by pharmacists.
WAC 246-863-120	AIDS prevention and information education requirements.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-865-010	Definitions.
WAC 246-865-020	Promulgation.
WAC 246-865-030	Emergency kit.
WAC 246-865-040	Supplemental dose kits.
WAC 246-865-050	Drug facilities.
WAC 246-865-060	Pharmaceutical services.
WAC 246-865-070	Provision for continuity of drug therapy for residents.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-867-001	Purpose and scope.
WAC 246-867-010	Definitions.
WAC 246-867-020	Applicability.
WAC 246-867-030	Reporting and freedom from liability.
WAC 246-867-040	Approval of substance abuse monitoring programs.
WAC 246-867-050	Participation in approved substance abuse monitoring program.
WAC 246-867-060	Confidentiality.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-869-010	Pharmacies' responsibilities.
WAC 246-869-020	Pharmacies and differential hours.
WAC 246-869-030	Pharmacy license notice requirements.
WAC 246-869-040	New pharmacy registration.
WAC 246-869-060	Employers to require evidence of pharmacist's qualifications.
WAC 246-869-070	Responsible manager—Appointment.
WAC 246-869-080	Clinic dispensaries.
WAC 246-869-090	Prescription transfers.
WAC 246-869-100	Prescription record requirements.
WAC 246-869-105	Continuity of care refills in proclaimed emergencies.
WAC 246-869-110	Refusal to permit inspection.
WAC 246-869-130	Return or exchange of drugs.
WAC 246-869-140	Prescription department—Conversing with pharmacist prohibited.
WAC 246-869-150	Physical standards for pharmacies—Adequate stock.
WAC 246-869-160	Physical standards for pharmacies—Adequate facilities.
WAC 246-869-170	Physical standards for pharmacies—Sanitary conditions.
WAC 246-869-180	Physical standards for pharmacies—Adequate equipment.
WAC 246-869-190	Pharmacy inspections and self-inspection worksheets.
WAC 246-869-200	Poison control.
WAC 246-869-210	Prescription labeling.
WAC 246-869-220	Patient counseling required.
WAC 246-869-230	Child-resistant containers.
WAC 246-869-235	Prescription drug repackaging—Definitions.
WAC 246-869-250	Closing a pharmacy.
WAC 246-869-255	Customized patient medication packages.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 246-870-010 Purpose.
- WAC 246-870-020 What definitions do I need to know to understand these rules?
- WAC 246-870-030 What is included in the electronic transmission and transfer of prescription information?
- WAC 246-870-040 Can all prescriptions be transmitted electronically?
- WAC 246-870-050 What are the requirements for fax machines?
- WAC 246-870-060 What are the board requirements for electronic prescription transmission systems?
- WAC 246-870-070 What are the board requirements for pharmacies using electronic prescription transmission systems?
- WAC 246-870-080 Can prescription records be stored electronically?
- WAC 246-870-090 Can electronic mail systems be used to transmit patient information?

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-871-001	Scope and purpose.
WAC 246-871-010	Definitions.
WAC 246-871-020	Policy and procedure manual.
WAC 246-871-030	Physical requirements.
WAC 246-871-040	Personnel.
WAC 246-871-050	Drug distribution and control.
WAC 246-871-060	Antineoplastic medications.
WAC 246-871-070	Clinical services.
WAC 246-871-080	Quality assurance.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 246-873-010 Definitions.
- WAC 246-873-020 Applicability.
- WAC 246-873-030 Licensure.
- WAC 246-873-040 Personnel.
- WAC 246-873-050 Absence of a pharmacist.
- WAC 246-873-060 Provision of emergency department discharge medications when pharmacy services are unavailable.

- WAC 246-873-070 Physical requirements.
- WAC 246-873-080 Drug procurement, distribution and control.

- WAC 246-873-090 Administration of drugs.
- WAC 246-873-100 Investigational drugs.
- WAC 246-873-110 Additional responsibilities of pharmacy service.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-874-010	Definitions.
WAC 246-874-020	General applicability.
WAC 246-874-025	Responsible manager designation requirement for an ADDD.
WAC 246-874-030	General requirements for an ADDD.
WAC 246-874-040	Security and safety requirements for ADDD.
WAC 246-874-050	Accountability requirements for an ADDD.
WAC 246-874-060	Quality assurance process requirements for ADDD.
WAC 246-874-070	Nursing students ADDD access.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

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| WAC 246-875-001 | Purpose. |
| WAC 246-875-010 | Definitions. |
| WAC 246-875-020 | Minimum required information in an automated patient medication record system. |
| WAC 246-875-030 | Minimum required information in a manual patient medication record system. |
| WAC 246-875-040 | Minimum procedures for utilization of a patient medication record system. |
| WAC 246-875-050 | Auxiliary recordkeeping procedure. |
| WAC 246-875-060 | Retrieval of information from an automated system. |
| WAC 246-875-070 | Confidentiality and security of data. |
| WAC 246-875-080 | Extension of time for compliance. |

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-877-020 Drug sample prohibitions.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-878-010	Definitions.
WAC 246-878-020	Compounded drug products—Pharmacist.
WAC 246-878-030	Organization and personnel.
WAC 246-878-040	Facilities.
WAC 246-878-050	Sterile pharmaceutical.
WAC 246-878-060	Radiopharmaceuticals.
WAC 246-878-070	Special precaution products.
WAC 246-878-080	Equipment.
WAC 246-878-090	Control of components and drug product containers and closures.
WAC 246-878-100	Drug compounding controls.
WAC 246-878-110	Labeling control of excess products.
WAC 246-878-120	Records and reports.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-879-010	Definitions.
WAC 246-879-020	Minimum standards for wholesalers.
WAC 246-879-030	Inspections.
WAC 246-879-040	Records.
WAC 246-879-050	Security.
WAC 246-879-060	Unauthorized sales.
WAC 246-879-070	Application for full line wholesaler license and over-the-counter only wholesaler license.
WAC 246-879-080	Application for controlled substance wholesaler license.
WAC 246-879-090	Export wholesaler.
WAC 246-879-100	Salvaging and reprocessing companies.
WAC 246-879-110	Violations and penalties.
WAC 246-879-120	Reciprocity.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-881-010	Drug price advertising defined.
WAC 246-881-020	Drug price advertising conditions.
WAC 246-881-030	Prohibition on advertising controlled substances.
WAC 246-881-040	Drug price disclosure—Required.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-883-020	Identification of legend drugs for purposes of chapter 69.41 RCW.
WAC 246-883-025	Introductory trade or stock packages.
WAC 246-883-030	Ephedrine prescription restrictions.
WAC 246-883-040	Regulated steroids.
WAC 246-883-050	Theophylline prescription restrictions.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

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|-----------------|--|
| WAC 246-885-020 | Drug imprint information provided by manufacturers and distributors. |
| WAC 246-885-030 | Over-the-counter (OTC) drug imprint regulation. |

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-886-001	Purpose.
WAC 246-886-010	Definitions.
WAC 246-886-020	Registration.
WAC 246-886-030	Approved legend drugs.
WAC 246-886-035	Sodium pentobarbital—Approved controlled substance.
WAC 246-886-040	Training of personnel.
WAC 246-886-050	Legend drug administration.
WAC 246-886-060	Responsible individuals.
WAC 246-886-080	Recordkeeping and reports.
WAC 246-886-090	Drug storage and field use.
WAC 246-886-100	Violations.
WAC 246-886-150	Chemical capture programs.
WAC 246-886-160	Registration requirements.
WAC 246-886-170	Authorized individuals.
WAC 246-886-180	Approved legend drugs.
WAC 246-886-190	Controlled substances training.
WAC 246-886-200	Storage requirements.
WAC 246-886-210	Controlled substances records and reports.
WAC 246-886-220	Approved controlled substances.
WAC 246-886-230	Controlled substances registration disciplinary actions.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-887-020	Uniform Controlled Substances Act.
WAC 246-887-040	Designation of nonnarcotic stimulant drugs for purposes of RCW 69.50.402 (1) (c) .
WAC 246-887-045	Prescribing, dispensing, or administering of Schedule II nonnarcotic stimulants.
WAC 246-887-080	Sodium pentobarbital registration disciplinary action.
WAC 246-887-090	Authority to control.
WAC 246-887-100	Schedule I.
WAC 246-887-140	Schedule II.
WAC 246-887-150	Schedule II immediate precursors.
WAC 246-887-160	Schedule III.
WAC 246-887-170	Schedule IV.
WAC 246-887-180	Schedule V.
WAC 246-887-200	Other controlled substance registrants—Requirements.
WAC 246-887-210	Standards for transmission of controlled substances sample distribution reports.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 246-888-010 Purpose.
- WAC 246-888-020 What is self-administration with assistance and how is it different from independent self-administration or medication administration?
- WAC 246-888-030 How is self-administration with assistance initiated in a community-based care setting or an in-home setting?
- WAC 246-888-045 What is an enabler?
- WAC 246-888-050 How can medications be altered to assist with self-administration?
- WAC 246-888-060 Can all medications be altered to facilitate self-administration?
- WAC 246-888-070 What other type of assistance can a nonpractitioner provide?
- WAC 246-888-080 Is oxygen covered under this rule?
- WAC 246-888-090 If a individual/resident is able to administer his or her own oral medication through a gastrostomy or "g-tube," can a nonpractitioner provide assistance as outlined in these rules?
- WAC 246-888-100 Are there any other requirements I need to be aware of?

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-889-010	Definitions.
WAC 246-889-020	Precursor substance defined.
WAC 246-889-030	Reports of precursor receipt.
WAC 246-889-040	Monthly reporting option.
WAC 246-889-050	Suspicious transactions and reporting requirements.
WAC 246-889-070	Retail sales of nonprescription ephedrine, pseudoephedrine, and phenylpropanolamine products.
WAC 246-889-085	Requirements for the sale of restricted product.
WAC 246-889-090	Acceptable forms of photo identification.
WAC 246-889-095	Record of sales—Electronic methamphetamine precursor tracking.
WAC 246-889-110	Maintenance of and access to retail sales records of restricted products.
WAC 246-889-115	Exemptions from electronic reporting.
WAC 246-889-120	Denial of sale—Override.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-891-010	Definitions.
WAC 246-891-020	Conditions for the sale of condoms.
WAC 246-891-030	Condom standards.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-895-010	Definitions.
WAC 246-895-020	Finished pharmaceuticals—Manufacturing practice.
WAC 246-895-030	Personnel.
WAC 246-895-040	Buildings or facilities.
WAC 246-895-050	Equipment.
WAC 246-895-060	Production and control procedures.
WAC 246-895-070	Components.
WAC 246-895-080	Component and drug product containers and closures.
WAC 246-895-090	Reuse of teat dip containers and closures.
WAC 246-895-100	Laboratory controls.
WAC 246-895-110	Stability.
WAC 246-895-120	Expiration dating.
WAC 246-895-130	Packaging and labeling.
WAC 246-895-140	Master production and control records— Batch production and control records.
WAC 246-895-150	Distribution records.
WAC 246-895-160	Complaint files.
WAC 246-895-170	Variance and procedure.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-897-020 Availability.

WAC 246-897-060 Identity.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 246-899-020 Dispensing responsibilities.
- WAC 246-899-030 Product selection responsibilities.
- WAC 246-899-040 Manufacturers, wholesalers,
distributors, pharmacy location,
requirement that drug products offered
for sale comply with 21 U.S.C. 355—
Immediate suspension and subsequent
revocation of licenses authorized for
violation.
- WAC 246-899-050 Out-of-state prescriptions.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 246-901-010	Definitions.
WAC 246-901-020	Pharmacy ancillary personnel utilization.
WAC 246-901-030	Technician education and training.
WAC 246-901-035	Pharmacy technician specialized functions.
WAC 246-901-040	Limitations, trainees.
WAC 246-901-050	Technician program approval.
WAC 246-901-060	Technician certification.
WAC 246-901-065	Expired technician license.
WAC 246-901-070	Pharmacy assistant utilization.
WAC 246-901-080	Pharmacy assistant registration.
WAC 246-901-090	Identification.
WAC 246-901-100	Board approval of pharmacies utilizing pharmacy ancillary personnel and specialized functions.
WAC 246-901-120	AIDS prevention and information education requirements.
WAC 246-901-130	Pharmacist to pharmacy technician ratio.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-903-001	Purpose and scope.
WAC 246-903-010	Definitions.
WAC 246-903-020	Nuclear pharmacies.
WAC 246-903-030	Nuclear pharmacists.
WAC 246-903-040	Minimum equipment requirements.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-904-010	Definition.
WAC 246-904-020	New health care entity licensing.
WAC 246-904-030	Pharmacist in charge.
WAC 246-904-040	Drug procurement, distribution and control.
WAC 246-904-050	Dispensing of prescription medications from health care entities.
WAC 246-904-060	Labeling.
WAC 246-904-070	Records.
WAC 246-904-080	Absence of a pharmacist.
WAC 246-904-090	Administration.
WAC 246-904-100	Closing.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 246-905-020	Home dialysis program—Legend drugs.
WAC 246-905-030	Pharmacist consultant.
WAC 246-905-040	Records.
WAC 246-905-050	Quality assurance.