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## WASHINGTON STATE PHARMACY QUALITY ASSURANCE COMMISSION

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*newsletter to promote pharmacy and drug law compliance*

### **No. 1410 UFEF**

The Washington State Pharmacy Quality Assurance Commission held two special meetings to hear public comments from stakeholders regarding the [Uniform Facility Enforcement Framework \(UFEF\) draft bill language](#). Prior to the discussion, the Commission's staff presented a short [presentation](#) discussing the UFEF.

### **No. 1411 Engrossed Substitute Senate Bill 5229**

The Washington State Department of Health (DOH) recently filed a [CR-102](#), which is a notice of proposed rulemaking, regarding minimum standards for health equity continuing education (CE) training programs. This bill directs the Department to create minimum standards for health equity CE that health professionals must take every four years. More information can be found in the [proposed rules](#), [significant analysis](#), and current [bill language](#).

### **No. 1412 Accessible Labels Rule Inquiry Filed**

The Commission filed a rulemaking inquiry (CR-101) under Washington State Register ([WSR](#)) [22-09-065](#) on April 19, 2022, to consider adding or amending rules in Chapter 246-945 Washington Administrative Code (WAC), related to prescription label accessibility standards. The inquiry addresses both visual and print disability access and prescription drug information translation for individuals for whom English is not a primary language.

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## **No. 1413 Epidiolex Rule Adoption Filed**

The Commission adopted a permanent rule under [WSR 22-10-044](#) on April 28, 2022, to amend [WAC 246-945-056 Schedule V](#) to remove Epidiolex® from the list of Schedule V controlled substances (CR-103p). This rule went into effect May 29, 2022 and replaces the emergency rule which has been in effect since May 20, 2020. Information on the removal of Epidiolex from Schedule V and WSR 22-10-044 may be found on both the Commission's [Rules in Progress page](#).

## **No. 1414 Retired Pharmacist License Status**

The Commission refiled emergency rules under [WSR 22-20-023](#) on September 23, 2022, to help increase the number of health care workers available to meet patients' needs during the coronavirus disease 2019 (COVID-19) pandemic (CR-103e). This rule is effective immediately and will remain in effect for 120 days. The emergency rule amends WAC 246-945-171 to allow holders of a retired active pharmacist license status to practice on an intermittent or emergent basis.

Though the state of emergency concluded October 31, 2022 in Washington State, the emergency rule is still necessary to provide guidance for future states of emergency until standard rulemaking on the subject is completed. The Commission filed a standard rulemaking proposal under WSR 22-20-101 on October 4, 2022, to help increase the number of health care workers available to meet patients' needs during states of emergency (CR-102).

## **No. 1415 Mandatory Self-Reporting**

As a reminder, health care practitioners licensed by or seeking licensure from the Commission have mandatory self-reporting requirements per [Chapter 246-16 WAC](#). Please review the [Health Professions Mandatory Reporting web page](#).

## **No. 1416 Reinstating CE for Pharmacists and Pharmacy Technicians**

Governor Jay Inslee announced his intent to rescind Proclamation 20-32.11, effective on October 27, 2022. This proclamation temporarily waived the requirements in Chapter 246-12 WAC related to CE, as well as rules specific to CE for pharmacists and pharmacy technicians.

At the special meeting on August 5, 2022, the Commission voted not to take enforcement action and to postpone audits until one full renewal cycle after October 27, 2022 (the effective date of the governor's rescission of Proclamation 20-32).

If you have any questions, please contact the [DOH call center](#) at 360/236-4700.

## **No. 1417 HCEs**

Health care entities (HCEs) licensed by the Commission must provide written notification to the Commission if they are closing permanently. Notification must be submitted by an HCE to the

Commission no later than 30 calendar days **prior to** the facility's closing date (See [WAC 246-945-405](#) and [WAC 246-945-480](#)).

Additionally, an HCE is not permitted to transfer non-patient-specific drugs to an individually licensed practitioner employed by the same company that owns the HCE. Although [WAC 246-945-001\(81\)](#) allows for the general transfer of non-patient-specific drugs "between any division, subsidiary, parent and/or affiliated or related company under the common ownership and control of a corporate entity," it does not allow for that transfer to take place between an HCE and an individual practitioner. This is because an HCE is subject to ownership by a company while a practitioner is not. In other words, a company may **own** an HCE and may **employ** a practitioner. HCEs wishing to transfer non-patient-specific drugs to an individual practitioner must do so pursuant to a valid Commission-issued pharmaceutical wholesaler license (Revised Code of Washington ([RCW](#)) [18.64.011](#) and [RCW 18.64.046](#)).

### ***No. 1418 Updated Guidelines for the Implementation of a Washington Pharmacy Technician Training Program***

The *Guidelines for the Implementation of a Washington Pharmacy Technician Training Program* have recently been updated and posted to the Commission website.

### ***No. 1419 COVID-19 Vaccine for Children***

The DOH has recently compiled [this guidance](#) for pharmacies about the COVID-19 vaccine for children six months to five years old. This guidance includes recommendations from the Centers for Disease Control and Prevention for pharmacies regarding vaccinating this new age group.

### ***No. 1420 Important Update About Wholesalers – Suspicious Orders and Due Diligence Rule: Zero Reports***

The Commission voted to extend enforcement discretion of the submission of zero reports until July 14, 2023, or until the rulemaking is complete, whichever comes first.

This decision was a follow-up from the June 3, 2021 business meeting when the Commission voted to authorize rulemaking to amend [WAC 246-945-585\(1\)\(b\)](#) to modify the zero report submission requirement. In this rulemaking, the Commission will consider alternatives to the zero report requirement, such as storing them on site instead of submitting them to the Commission. Please contact the Commission with any questions at [PharmacyRules@doh.wa.gov](mailto:PharmacyRules@doh.wa.gov).

### ***No. 1421 Avoid Fraudulent Individuals Claiming to Be State Regulators – Scam Alert***

An ongoing fraud ring has been preying on health care practitioners for the last year. Individuals using the DOH or Medical Commission phone numbers, email addresses, and web URLs are

posing as DOH officials or Drug Enforcement Administration (DEA) agents to make providers think they are in trouble with the DOH or the law and in danger of discipline or loss of license. These bad actors research specific practitioners and attempt to exploit them using personal information. If they are successful, they move forward with requests for money or information to help them carry out additional scams.

You may find out more and learn how to avoid these scams [here](#).

## **No. 1422 The Office of Infectious Disease, Drug User Health Team Wants to Remind You . . .**

Naloxone is an opioid overdose reversal medication. Washington State has a [standing order for naloxone](#) that allows anyone to purchase naloxone directly from a pharmacy. The standing order includes generic naloxone (both intranasal and injectable naloxone formulations) and Narcan<sup>®</sup> Nasal Spray (a brand-name intranasal formulation of naloxone). Anyone can obtain naloxone if they are at risk of having or witnessing an overdose. More information can be found using the following resources:

- Washington State Department of Health's [Overdose Education and Naloxone Distribution web page](#).
- [Stopoverdose.org](#), from the University of Washington. If you would like to order hard copies of this brochure, please contact the [ADAI Clearinghouse](#).
- [Washington State Statewide Standing Order to Dispense Naloxone FAQs](#).
- Information about legal and regulatory issues related to naloxone in Washington.

Contact the DOH's Overdose Education and Naloxone Distribution Program at [naloxoneprogram@doh.wa.gov](mailto:naloxoneprogram@doh.wa.gov).

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