

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2048

Chapter 229, Laws of 1991

52nd Legislature
1991 Regular Session

PHARMACISTS--LICENSE RENEWAL FEES

EFFECTIVE DATE: 7/28/91

Passed by the House March 13, 1991
Yeas 97 Nays 0

JOE KING
**Speaker of the
House of Representatives**

Passed by the Senate April 12, 1991
Yeas 44 Nays 0

JOEL PRITCHARD
President of the Senate

Approved May 16, 1991

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2048** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON
Chief Clerk

FILED

May 16, 1991 - 10:53 a.m.

BOOTH GARDNER
Governor of the State of Washington

Secretary of State
State of Washington

SUBSTITUTE HOUSE BILL 2048

AS AMENDED BY THE SENATE

Passed Legislature - 1991 Regular Session

State of Washington

52nd Legislature

1991 Regular Session

By House Committee on Health Care (originally sponsored by Representatives Moyer, Prentice, Paris, Braddock, Holland, Sprenkle, D. Sommers, Beck, Miller, Nealey, Padden, Winsley, Forner, Silver and Sheldon).

Read first time March 4, 1991.

1 AN ACT Relating to license renewal fees; amending RCW 18.64.043,
2 18.64.045, 18.64.046, 18.64.047, 18.64.140, 69.45.070, and 69.50.301;
3 adding a new section to chapter 18.130 RCW; adding a new section to
4 chapter 18.64 RCW; and adding a new section to chapter 18.64A RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.130 RCW
7 to read as follows:

8 The disciplining authority may adopt rules pursuant to this section
9 authorizing a retired active license status. An individual
10 credentialed by a disciplining authority regulated in the state under
11 RCW 18.130.040, who is practicing only in emergent or intermittent
12 circumstances as defined by rule established by the disciplining
13 authority, may hold a retired active license at a reduced renewal fee
14 established by the secretary under RCW 43.70.250. Such a license shall
15 meet the continuing education or continued competency requirements, if

1 any, established by the disciplining authority for renewals, and is
2 subject to the provisions of this chapter. Individuals who have
3 entered into retired status agreements with the disciplinary authority
4 in any jurisdiction shall not qualify for a retired active license
5 under this section.

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

8 The board may adopt rules pursuant to this section authorizing a
9 retired active license status. An individual licensed pursuant to this
10 chapter, who is practicing only in emergent or intermittent
11 circumstances as defined by rule established by the board, may hold a
12 retired active license at a reduced renewal fee established by the
13 secretary under RCW 43.70.250. Such a license shall meet the
14 continuing education requirements, if any, established by the board for
15 renewals, and is subject to the provisions of the uniform disciplinary
16 act, chapter 18.130 RCW. Individuals who have entered into retired
17 status agreements with the disciplinary authority in any jurisdiction
18 shall not qualify for a retired active license under this section.

19 **Sec. 3.** RCW 18.64.043 and 1989 1st ex.s. c 9 s 414 are each
20 amended to read as follows:

21 (1) The owner of each pharmacy shall pay an original license fee to
22 be determined by the secretary, and annually thereafter, on or before
23 a date to be determined by the secretary, a fee to be determined by the
24 secretary, for which he or she shall receive a license of location,
25 which shall entitle the owner to operate such pharmacy at the location
26 specified, or such other temporary location as the secretary may
27 approve, for the period ending on a date to be determined by the
28 secretary, and each such owner shall at the time of filing proof of

1 payment of such fee as provided in RCW 18.64.045 as now or hereafter
2 amended, file with the department on a blank therefor provided, a
3 declaration of ownership and location, which declaration of ownership
4 and location so filed as aforesaid shall be deemed presumptive evidence
5 of ownership of the pharmacy mentioned therein.

6 (2) It shall be the duty of the owner to immediately notify the
7 department of any change of location or ownership and to keep the
8 license of location or the renewal thereof properly exhibited in said
9 pharmacy.

10 (3) Failure to comply with this section shall be deemed a
11 misdemeanor, and each day that said failure continues shall be deemed
12 a separate offense.

13 (4) In the event such license fee remains unpaid (~~for sixty days~~
14 ~~from~~) on the date due, no renewal or new license shall be issued
15 except upon payment of the license renewal fee and a penalty fee equal
16 to the original license fee.

17 **Sec. 4.** RCW 18.64.045 and 1989 1st ex.s. c 9 s 416 are each
18 amended to read as follows:

19 The owner of each and every place of business which manufactures
20 drugs shall pay a license fee to be determined by the secretary, and
21 thereafter, on or before a date to be determined by the secretary, a
22 fee to be determined by the secretary, for which the owner shall
23 receive a license of location from the department, which shall entitle
24 the owner to manufacture drugs at the location specified for the period
25 ending on a date to be determined by the board, and each such owner
26 shall at the time of payment of such fee file with the department, on
27 a blank therefor provided, a declaration of ownership and location,
28 which declaration of ownership and location so filed as aforesaid shall
29 be deemed presumptive evidence of the ownership of such place of

1 business mentioned therein. It shall be the duty of the owner to
2 notify immediately the department of any change of location or
3 ownership and to keep the license of location or the renewal thereof
4 properly exhibited in such place of business. Failure to conform with
5 this section shall be deemed a misdemeanor, and each day that said
6 failure continues shall be deemed a separate offense. In event such
7 license fee remains unpaid (~~((for sixty days from))~~) on the date due, no
8 renewal or new license shall be issued except upon payment of the
9 license renewal fee and a penalty fee equal to the license renewal fee.

10 **Sec. 5.** RCW 18.64.046 and 1989 1st ex.s. c 9 s 417 are each
11 amended to read as follows:

12 The owner of each place of business which sells legend drugs and
13 nonprescription drugs, or nonprescription drugs at wholesale shall pay
14 a license fee to be determined by the secretary, and thereafter, on or
15 before a date to be determined by the secretary, a like fee to be
16 determined by the secretary, for which the owner shall receive a
17 license of location from the department, which shall entitle such owner
18 to either sell legend drugs and nonprescription drugs or
19 nonprescription drugs at wholesale at the location specified for the
20 period ending on a date to be determined by the board, and each such
21 owner shall at the time of payment of such fee file with the
22 department, on a blank therefor provided, a declaration of ownership
23 and location, which declaration of ownership and location so filed as
24 aforesaid shall be deemed presumptive evidence of the ownership of such
25 place of business mentioned therein. It shall be the duty of the owner
26 to notify immediately the department of any change of location and
27 ownership and to keep the license of location or the renewal thereof
28 properly exhibited in such place of business. Failure to conform with
29 this section shall be deemed a misdemeanor, and each day that said

1 failure continues shall be deemed a separate offense. In event such
2 license fee remains unpaid (~~((for sixty days from))~~) on the date due, no
3 renewal or new license shall be issued except upon payment of the
4 license renewal fee and a penalty fee equal to the license renewal fee.

5 **Sec. 6.** RCW 18.64.047 and 1989 1st ex.s. c 9 s 418 are each
6 amended to read as follows:

7 Any itinerant vendor or any peddler of any nonprescription drug or
8 preparation for the treatment of disease or injury, shall pay a
9 registration fee determined by the secretary on a date to be determined
10 by the secretary. The department may issue a registration to such
11 vendor on an approved application made to the department. Any itinerant
12 vendor or peddler who shall vend or sell, or offer to sell to the
13 public any such nonprescription drug or preparation without having
14 registered to do so as provided in this section, shall be guilty of a
15 misdemeanor and each sale or offer to sell shall constitute a separate
16 offense. In event such registration fee remains unpaid (~~((for sixty days~~
17 ~~from))~~) on the date due, no renewal or new registration shall be issued
18 except upon payment of the registration renewal fee and a penalty fee
19 equal to the renewal fee. This registration shall not authorize the
20 sale of legend drugs or controlled substances.

21 **Sec. 7.** RCW 18.64.140 and 1989 1st ex.s. c 9 s 421 are each
22 amended to read as follows:

23 Every licensed pharmacist who desires to practice pharmacy shall
24 secure from the department a license, the fee for which shall be
25 determined by the secretary. The renewal fee shall also be determined
26 by the secretary. The date of renewal may be established by the
27 secretary by regulation and the department may by regulation extend the
28 duration of a licensing period for the purpose of staggering renewal

1 periods. Such regulation may provide a method for imposing and
2 collecting such additional proportional fee as may be required for the
3 extended period. Payment of this fee shall entitle the licensee to a
4 pharmacy law book, subsequent current mailings of all additions,
5 changes, or deletions in the pharmacy practice act, chapter 18.64 RCW,
6 and all additions, changes, or deletions of pharmacy board and
7 department regulations. Pharmacists shall pay the license renewal fee
8 and a penalty equal to the license renewal fee for the late renewal of
9 their license (~~((more than sixty days after the renewal is due))~~). The
10 current license shall be conspicuously displayed to the public in the
11 pharmacy to which it applies. Any licensed pharmacist who desires to
12 leave the active practice of pharmacy in this state may secure from the
13 department an inactive license. The initial license and renewal fees
14 shall be determined by the secretary. The holder of an inactive
15 license may reactivate his or her license to practice pharmacy in
16 accordance with rules adopted by the board.

17 **Sec. 8.** RCW 69.45.070 and 1989 1st ex.s. c 9 s 447 are each
18 amended to read as follows:

19 The department may charge reasonable fees for registration. The
20 registration fee shall not exceed the fee charged by the department for
21 a pharmacy location license. If the registration fee is not paid on or
22 before the date due, a renewal or new registration may be issued only
23 upon payment of the registration renewal fee and a penalty fee equal to
24 the registration renewal fee.

25 **Sec. 9.** RCW 69.50.301 and 1989 1st ex.s. c 9 s 431 are each
26 amended to read as follows:

27 The state board of pharmacy may promulgate rules and the secretary
28 may set fees (~~((of not less than ten dollars or more than fifty~~

1 ~~dollars~~) in accordance with RCW 43.70.250 relating to the registration
2 and control of the manufacture, distribution, and dispensing of
3 controlled substances within this state.

4 NEW SECTION. **Sec. 10.** A new section is added to chapter 18.64A
5 RCW to read as follows:

6 If a pharmacy assistant allows his or her certificate to lapse by
7 failing to renew on or before the date due, a renewal or new license
8 may be issued only upon payment of the certification fee and a penalty
9 fee equal to the original certification fee.

Passed the House March 13, 1991.

Passed the Senate April 12, 1991.

Approved by the Governor May 16, 1991.

Filed in Office of Secretary of State May 16, 1991.