



# 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: November 22, 2024

TIME: 4:12 PM

WSR 24-24-024

**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:** Prescription transfer requirements. The Pharmacy Quality Assurance Commission (commission) is adopting amendments to WAC 246-945-345 and a new section, WAC 246-945-346, in chapter 246-945 WAC to establish the expectations of pharmacies related to noncontrolled and controlled substance prescription transfers upon patient request.

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

New: WAC 246-945-346  
Repealed: None  
Amended: WAC 246-945-345  
Suspended: None

**Statutory authority for adoption:** RCW 18.64.005, 69.41.075, and 69.50.301

**Other authority:**

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

Adopted under notice filed as WSR 24-17-002 on August 8, 2024.

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:

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Web site: <https://doh.wa.gov/licenses-permits-and-certificates/professions-new-renew-or-update/pharmacy-commission>

Other: N/A

**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	Repealed	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	Repealed	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	Repealed	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>1</u>	Amended	<u>1</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	Repealed	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>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>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>1</u>	Amended	<u>1</u>	Repealed	<u>0</u>

**Date Adopted:** November 20, 2024

**Name:** Hawkins DeFrance, PharmD

**Title:** Pharmacy Quality Assurance Commission Chair

**Signature:**



**WAC 246-945-345 Noncontrolled prescription transfers. (1)**

~~((Subsections (2) through (5) of this section apply to the transfer of prescription information for noncontrolled drugs. The transfer of controlled substance prescription information must conform to the requirements of 21 C.F.R. Sec. 1306.25.~~

~~(2)) Upon request by a patient ((request)) or an authorized representative of a patient, a noncontrolled prescription ((may)) shall be transferred within the limits of state and federal law.~~

(2) Pharmacies shall transfer noncontrolled prescription information within three business days of receiving the request or within a time frame that does not adversely impact the provision of medication therapy, whichever comes first.

(3) Sufficient information needs to be exchanged in the transfer of a noncontrolled prescription to maintain an auditable trail, and all elements of a valid prescription.

(4) Pharmacies sharing a secure real-time database are not required to transfer noncontrolled prescription information for dispensing.

(5) Noncontrolled prescriptions must be transferred by electronic means or facsimile, except in emergent situations.

NEW SECTION

**WAC 246-945-346 Controlled substance prescription transfers.**

(1) Upon request by a patient or an authorized representative of the patient, a controlled substance prescription shall be transferred within the limits of state and federal law including, but not limited to, the requirements of 21 C.F.R. Secs. 1306.08 and 1306.25.

(2) Pharmacies shall transfer controlled substance prescription information within three business days of receiving the request or within a time frame that does not adversely impact the provision of medication therapy, whichever comes first.