

the application of the provision to other persons or circumstances is not affected.

Passed the House April 25, 1981.

Passed the Senate April 24, 1981.

Approved by the Governor May 14, 1981.

Filed in Office of Secretary of State May 14, 1981.

CHAPTER 147

[Second Substitute House Bill No. 169]

PHARMACISTS—LICENSURE—POISONS—DRUG INJECTION DEVICES

AN ACT Relating to pharmacy; amending section 1, chapter 9, Laws of 1972 ex. sess. as amended by section 11, chapter 90, Laws of 1979 and RCW 18.64.080; amending section 69.50.210, chapter 308, Laws of 1971 ex. sess. as amended by section 4, chapter 138, Laws of 1980 and RCW 69.50.210; amending section 19, chapter 90, Laws of 1979 and RCW 18.64.255; adding a new section to chapter 69.40 RCW; adding a new section to chapter 70.115 RCW; repealing section 15, chapter 121, Laws of 1899, section 8, chapter 213, Laws of 1909 and RCW 18.64.243; repealing section 256, chapter 249, Laws of 1909 and RCW 69.40.050; repealing section 1, chapter 249, Laws of 1977 ex. sess. and RCW 70.115.010; repealing section 2, chapter 249, Laws of 1977 ex. sess. and RCW 70.115.020; repealing section 3, chapter 249, Laws of 1977 ex. sess. and RCW 70.115.030; repealing section 4, chapter 249, Laws of 1977 ex. sess. and RCW 70.115.040; repealing section 5, chapter 249, Laws of 1977 ex. sess. and RCW 70.115.900; and prescribing a penalty.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 1, chapter 9, Laws of 1972 ex. sess. as amended by section 11, chapter 90, Laws of 1979 and RCW 18.64.080 are each amended to read as follows:

(1) The state board of pharmacy may license as a pharmacist any person who has filed an application therefor, subscribed by the person under oath or affirmation, containing such information as the board may by regulation require, and who—

(a) Is at least eighteen years of age and is a citizen of the United States, an alien in an educational pharmacy graduate or residency program for the period of the program, or a resident alien;

(b) Has satisfied the board that he or she is of good moral and professional character, that he or she will carry out the duties and responsibilities required of a pharmacist, and that he or she is not unfit or unable to practice pharmacy by reason of the extent or manner of his or her proven use of alcoholic beverages, drugs, or controlled substances, or by reason of a proven physical or mental disability;

(c) Holds a baccalaureate degree in pharmacy or a doctor of pharmacy degree granted by a school or college of pharmacy which is accredited by the board of pharmacy;

(d) Has completed or has otherwise met the internship requirements as set forth in board rules;

(e) Has satisfactorily passed the necessary examinations given by the board.

(2) The state board of pharmacy shall, at least once in every calendar year, offer an examination to all applicants for a pharmacist license who have completed their educational and internship requirements pursuant to rules promulgated by the board. The said examination shall be determined by the board. In case of failure at a first examination, the applicant shall have within three years the privilege of a second and third examination. In case of failure in a third examination, the applicant shall not be eligible for further examination until he or she has satisfactorily completed additional preparation as directed and approved by the board. The applicant must pay the examination fee determined by the board for each examination taken. Upon passing the required examinations and complying with all the rules and regulations of the board and the provisions of this chapter, the board shall grant the applicant a license as a pharmacist and issue to him or her a certificate qualifying him or her to enter into the practice of pharmacy.

(3) Any person enrolled as a student of pharmacy (~~(or prepharmacy)~~) in an accredited college may file with the state board of pharmacy an application for registration as a pharmacy intern in which said application he or she shall be required to furnish such information as the board may, by regulation, prescribe and, simultaneously with the filing of said application, shall pay to the board a fee to be determined by the board. All certificates issued to pharmacy interns shall be valid for a period to be determined by the board, but in no instance shall the certificate be valid if the individual is no longer making timely progress toward graduation.

(4) To assure adequate practical instruction, pharmacy internship experience as required under this chapter shall be obtained after registration as a pharmacy intern by practice in any licensed pharmacy or other program meeting the requirements promulgated by regulation of the board, and shall include such instruction in the practice of pharmacy as the board by regulation shall prescribe.

(5) The board may, without examination other than one in the laws relating to the practice of pharmacy, license as a pharmacist any person who, at the time of filing application therefor, is and, for at least one year next preceding, has been licensed as a pharmacist in any other state, territory, or possession of the United States: PROVIDED, That the said person shall produce evidence satisfactory to the board of having had the required secondary and professional education and training and who was licensed as a pharmacist by examination in another state prior to June 13, 1963, shall be required to satisfy only the requirements which existed in this state at the time he or she became licensed in such other state: PROVIDED FURTHER, That the state in which said person is licensed shall under similar conditions grant reciprocal licenses as pharmacist without examination to pharmacists duly licensed by examination in this state. Every application

under this subsection shall be accompanied by a fee determined by the board.

(6) The board shall provide for, regulate, and require all persons licensed as pharmacists to renew their license annually, and shall prescribe the form of such license and information required to be submitted by all applicants.

Sec. 2. Section 69.50.210, chapter 308, Laws of 1971 ex. sess. as amended by section 4, chapter 138, Laws of 1980 and RCW 69.50.210 are each amended to read as follows:

(a) The drugs and other substances listed in this section, by whatever official name, common or usual name, chemical name, or brand name designated, are included in Schedule IV.

(b) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any difenoxin, or its salts calculated as the free anhydrous base or alkaloid, in limited quantities as follows: Not more than 1 milligram and not less than 25 micrograms of atropine sulfate per dosage unit.

(c) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Barbital;
- (2) Chloral betaine;
- (3) Chloral hydrate;
- (4) Chlordiazepoxide;
- (5) Clonazepam;
- (6) Clorazepate;
- (7) Diazepam;
- (8) Ethchlorvynol;
- (9) Ethinamate;
- (10) Flurazepam;
- (11) Lorazepam;
- (12) Mebutamate;
- (13) Meprobamate;
- (14) Methohexital;
- (15) Methylphenobarbital (mephobarbital);
- (16) Oxazepam;
- (17) Paraldehyde;
- (18) Petrichloral;
- (19) (~~Pentobarbital~~) Phenobarbital;
- (20) Prazepam.

(d) Fenfluramine. Any material, compound, mixture, or preparation which contains any quantity of fenfluramine, including its salts, isomers

(whether optical, position, or geometric), and salts of such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible.

(e) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Diethylpropion;
- (2) Phentermine;
- (3) Pemoline (including organometallic complexes and chelates thereof).

(f) Other substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts:

- (1) Dextropropoxphene (alpha - (+) - 4 - dimethylamino-1, 2-diphenyl - 3 - methyl - 2 - propionoxybutane);
- (2) Pentazocine.

Sec. 3. Section 19, chapter 90, Laws of 1979 and RCW 18.64.255 are each amended to read as follows:

Nothing in this chapter shall operate in any manner:

(1) To restrict the scope of authorized practice of any practitioner other than a pharmacist, duly licensed as such under the laws of this state; or

(2) In the absence of the pharmacist from the hospital pharmacy, to prohibit a registered nurse designated by the hospital and the responsible pharmacist from obtaining from the hospital pharmacy such drugs as are needed in an emergency: PROVIDED, That proper record is kept of such emergency, including the date, time, name of prescriber, the name of the nurse obtaining the drugs, and a list of what drugs and quantities of same were obtained; or

(3) To prevent shopkeepers, itinerant vendors, peddlers, or salesmen from dealing in and selling nonprescription drugs, if such drugs are sold in the original packages of the manufacturer, or in packages put up by a licensed pharmacist in the manner provided by the state board of pharmacy, if such shopkeeper, itinerant vendor, salesman, or peddler shall have obtained a license.

NEW SECTION. Sec. 4. There is added to chapter 69.40 RCW a new section to read as follows:

It shall be unlawful for any person to sell at retail or furnish any re-packaged poison drug or product without affixing or causing to be affixed to the bottle, box, vessel, or package a label containing the name of the article, all labeling required by the Food and Drug Administration and other federal or state laws or regulations, and the word "poison" distinctly shown with the name and place of the business of the seller.

This section shall not apply to the dispensing of drugs or poisons on the prescription of a practitioner.

The board of pharmacy shall have the authority to promulgate rules for the enforcement and implementation of this section.

Every person who shall violate any of the provisions of this section shall be guilty of a misdemeanor.

NEW SECTION. Sec. 5. There is added to chapter 70.115 RCW a new section to read as follows:

On the sale at retail of any hypodermic syringe, hypodermic needle, or any device adapted for the use of drugs by injection, the retailer shall satisfy himself or herself that the device will be used for the legal use intended.

NEW SECTION. Sec. 6. The following acts or parts of acts are each repealed:

- (1) Section 15, chapter 121, Laws of 1899, section 8, chapter 213, Laws of 1909 and RCW 18.64.243;
- (2) Section 256, chapter 249, Laws of 1909 and RCW 69.40.050;
- (3) Section 1, chapter 249, Laws of 1977 ex. sess. and RCW 70.115.010;
- (4) Section 2, chapter 249, Laws of 1977 ex. sess. and RCW 70.115.020;
- (5) Section 3, chapter 249, Laws of 1977 ex. sess. and RCW 70.115.030;
- (6) Section 4, chapter 249, Laws of 1977 ex. sess. and RCW 70.115-.040; and
- (7) Section 5, chapter 249, Laws of 1977 ex. sess. and RCW 70.115.900.

Passed the House April 23, 1981.

Passed the Senate April 22, 1981.

Approved by the Governor May 14, 1981.

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CHAPTER 148

[Substitute House Bill No. 175]

TIMBER, FOREST LAND TAXATION

AN ACT Relating to revenue and taxation; amending section 1, chapter 347, Laws of 1977 ex. sess. as amended by section 1, chapter 6, Laws of 1979 and RCW 84.33.071; amending section 5, chapter 294, Laws of 1971 ex. sess. as last amended by section 3, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.050; amending section 9, chapter 294, Laws of 1971 ex. sess. as amended by section 3, chapter 148, Laws of 1972 ex. sess. and RCW 84.33.090; amending section 11, chapter 294, Laws of 1971 ex. sess. as amended by section 4, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.110; amending section 14, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.115; amending section 15, chapter 187, Laws of 1974 ex. sess. and RCW 84.33.116; amending section 12, chapter 294, Laws of 1971 ex. sess. as last amended by section 2, chapter 134, Laws of 1980 and RCW 84.33.120; amending section 13, chapter 294, Laws of 1971 ex. sess. as amended by section