

Joint Administrative Rules Review Committee (JARRC)

Motion, "First Fill" Rule, Department of Labor and Industries
JARRC Work Session, December 2, 2009

As adopted by the Committee on: [12/2/2009](#)

Motion passed, as amended: 6-0-2

Motion:

(Vice-Chair Kretz): I move that the Committee send a letter to the appropriate standing committees of the Legislature, and to the Department of Labor and Industries, that brings to their attention the two unclear areas in the law that the policy committees may want to address in the form of legislation. The letter will include a statement that (1) it is not clear from a strict reading of RCW 51.36.010 that the Legislature intended only for pharmacies to be reimbursed; and (b) it is not clear what decisions the Department is authorized to make through the fee schedule process because the term "fee schedule" is not defined in statute.

Amendment (Sen. Keiser): I move to amend the motion to notify the appropriate standing committees of the Legislature and the Department of Labor and Industries that prescribing physician practices be allowed to use the Department's on-line drug utilization computer system.

Amendment adopted by unanimous voice vote.

(Chair Hasegawa): It has been moved that the Committee send a letter to appropriate committees of the Legislature and to the Department of Labor and Industries that brings to their attention the issues raised by the petitioner, and to notify the appropriate committees of the Legislature and the Department that prescribing physician practices be allowed to use the Department's on-line drug utilization computer system.

Motion passed, as amended: 6-0-2.

Roll Call:

Voting yea: Representatives Hasegawa, Kretz, Kelley, and Kristiansen; Senators Keiser and McCaslin.

Voting nay: None.

Absent: None.

Excused: Senators Fraser and Kastama.