

(2) If a disabled person arranges for chore services through an individual provider arrangement, the recipient's contribution shall be counted as first dollar toward the total amount owed to the provider for chore services rendered.

(3) As used in this section:

(a) "Gross income" means total earned wages, commissions, salary, and any bonus;

(b) "Work expenses" includes:

(i) Payroll deductions required by law or as a condition of employment, in amounts actually withheld;

(ii) The necessary cost of transportation to and from the place of employment by the most economical means, except rental cars; and

(iii) Expenses of employment necessary for continued employment, such as tools, materials, union dues, transportation to service customers if not furnished by the employer, and uniforms and clothing needed on the job and not suitable for wear away from the job;

(c) "Employment" means any work activity for which a recipient receives monetary compensation;

(d) "Disabled" means:

(i) Permanently and totally disabled as defined by the department and as such definition is approved by the federal security agency for federal matching funds;

(ii) Eighteen years of age or older;

(iii) A resident of the state of Washington; and

(iv) Willing to submit to such examinations as are deemed necessary by the department to establish the extent and nature of the disability.

NEW SECTION. Sec. 4. There is appropriated to the department of social and health services from the general fund for the biennium ending June 30, 1981, the sum of two hundred seventy thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act; except that, if federal funds become available to carry out the purposes of this act, then state general fund moneys shall be conserved with federal funds.

Passed the House March 4, 1980.

Passed the Senate March 3, 1980.

Approved by the Governor March 13, 1980.

Filed in Office of Secretary of State March 13, 1980.

CHAPTER 138

[Substitute House Bill No. 1485]

CONTROLLED SUBSTANCES—SCHEDULING—SCHEDULE II
NONNARCOTIC STIMULANT PRESCRIPTION

AN ACT Relating to controlled substances; amending section 69.50.204, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.204; amending section 69.50.206, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.206; amending section 69.50.208, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.208; amending section 69.50.210, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.210; amending section 69.50.212, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.212; amending section 69.50.402, chapter 308, Laws of 1971 ex. sess. as amended by section 1, chapter 119, Laws of 1979 ex. sess. and RCW 69.50.402; and declaring an emergency.

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

Section 1. Section 69.50.204, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.204 are each amended to read as follows:

(a) The controlled substances listed in this section, by whatever official name, common or usual name, chemical name, or brand name, are included in Schedule I.

(b) Opiates. Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, ((~~unless specifically excepted;~~) whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

- (1) Acetylmethadol;
- (2) Allylprodine;
- (3) Alphacetylmethadol;
- (4) Alphameprodine;
- (5) Alphamethadol;
- (6) Benzethidine;
- (7) Betacetylmethadol;
- (8) Betameprodine;
- (9) Betamethadol;
- (10) Betaprodine;
- (11) Clonitazene;
- (12) Dextromoramide;
- (13) ~~((Dextrophan;~~
- ~~(14))~~ Diampromide;
- ~~((15))~~ (14) Diethylthiambutene;
- (15) Difenoxin;
- (16) Dimenoxadol;
- (17) Dimepheptanol;
- (18) Dimethylthiambutene;
- (19) Dioxaphetyl butyrate;
- (20) Dipipanone;
- (21) Ethylmethylthiambutene;
- (22) Etonitazene;
- (23) ~~EtOxeridine;~~
- (24) Furethidine;
- (25) Hydroxypethidine;
- (26) Ketobemidone;

- (27) Levomoramide;
- (28) Levophenacymorphan;
- (29) Morpheridine;
- (30) Noracymethadol;
- (31) Norlevorphanol;
- (32) Normethadone;
- (33) Norpipanone;
- (34) Phenadoxone;
- (35) Phenampromide;
- (36) Phenomorphan;
- (37) Phenoperidine;
- (38) Piritramide;
- (39) Propheptazine;
- (40) Properidine;
- (41) Propiram;
- (42) Racemoramide;
- ~~((42))~~ (43) Trimeperidine.

(c) Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, their salts, isomers, and salts of isomers, (~~unless specifically excepted;~~) whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Acetorphine;
- (2) Acetyldihydrocodeine;
- (3) Benzylmorphine;
- (4) Codeine methylbromide;
- (5) Codeine-N-Oxide;
- (6) Cyprenorphine;
- (7) Desomorphine;
- (8) Dihydromorphine;
- (9) Drotebanol;
- (10) Etorphine (except hydrochloride salt);
- ~~((10))~~ (11) Heroin;
- ~~((11))~~ (12) Hydromorphenol;
- ~~((12))~~ (13) Methyl-desorphine;
- ~~((13))~~ (14) Methyl-dihydromorphine;
- ~~((14))~~ (15) Morphine methylbromide;
- ~~((15))~~ (16) Morphine methylsulfonate;
- ~~((16))~~ (17) Morphine-N-Oxide;
- ~~((17))~~ (18) Myrophine;
- ~~((18))~~ (19) Nicocodeine;
- ~~((19))~~ (20) Nicomorphine;
- ~~((20))~~ (21) Normorphine;
- ~~((21))~~ (22) Phoclodine;

~~((22))~~ (23) Thebacon.

(d) Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, or which contains any of their salts, isomers, and salts of isomers, (~~unless specifically excepted,~~) whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation (For purposes of paragraph (d) of this section, only, the term "isomer" includes the optical, position, and geometric isomers.):

- (1) 3,4-methylenedioxy amphetamine;
- (2) 5-methoxy-3,4-methylenedioxy amphetamine;
- (3) 3,4,5-trimethoxy amphetamine;
- (4) 4-bromo-2,5-dimethoxy-amphetamine;
- (5) 2,5-dimethoxyamphetamine;
- (6) 4-methoxyamphetamine;
- (7) 4-methyl-2,5-dimethoxyamphetamine;
- (8) Bufotenine;

~~((5))~~ (9) Diethyltryptamine;

~~((6))~~ (10) Dimethyltryptamine;

~~((7) 4-methyl-2,5-dimethoxyamphetamine;~~

~~(8))~~ (11) Ibogaine;

~~((9))~~ (12) Lysergic acid diethylamide;

~~((10))~~ (13) Marihuana;

~~((11))~~ (14) Mescaline;

~~((12))~~ (15) Peyote, meaning all parts of the plant presently classified botanically as Lophophora Williamsii Lemaire, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture, or preparation of such plant, its seeds, or extracts;

~~((13))~~ (16) N-ethyl-3-piperidyl benzilate;

~~((14))~~ (17) N-methyl-3-piperidyl benzilate;

~~((15))~~ (18) Psilocybin;

~~((16))~~ (19) Psilocyn;

~~((17))~~ (20) Tetrahydrocannabinols, synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, specifically, and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following:

(i) Delta 1 - cis - or trans tetrahydrocannabinol, and their optical isomers;

(ii) Delta 6 - cis - or trans tetrahydrocannabinol, and their optical isomers;

(iii) Delta 3.4 - cis - or trans tetrahydrocannabinol, and its optical isomers;

(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered, are all included.)

(21) Ethylamine analog of phencyclidine;

(22) Pyrrolidine analog of phencyclidine;

(23) Thiopene analog of phencyclidine.

(e) Depressant. Unless specifically excepted or unless listed in another schedule, any material compound, mixture, or preparation which contains any quantity of mecloqualone having a depressant effect on the central nervous system, 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.

Sec. 2. Section 69.50.206, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.206 are each amended to read as follows:

(a) The ((controlled)) 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 II.

(b) Substances. (Vegetable origin or chemical synthesis.) Unless specifically excepted, any of the following substances, except those ((narcotic drugs)) listed in other schedules, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, dextrorphan, nalbuphine, naloxone, and naltrexone, and their respective salts, but including the following:

(i) Raw opium;

(ii) Opium extracts;

(iii) Opium fluid extracts;

(iv) Powdered opium;

(v) Granulated opium;

(vi) Tincture of opium;

(vii) Codeine;

(viii) Ethylmorphine;

(ix) Etorphine hydrochloride;

(x) Hydrocodone;

(xi) Hydromorphone;

(xii) Metopon;

(xiii) Morphine;

(xiv) Oxycodone;

(xv) Oxymorphone; and

(xvi) Thebaine.

(2) Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph (b)(1) of this section, but not including the isoquinoline alkaloids of opium.

(3) Opium poppy and poppy straw.

(4) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions which do not contain cocaine or ecgonine.

(5) Concentrate of poppy straw (The crude extract of poppy straw in either liquid, solid, or powder form which contains the phenanthrine alkaloids of the opium poppy.)

(c) Opiates. Unless specifically excepted or unless in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation, dextrorphan excepted:

- (1) Alphaprodine;
- (2) Anileridine;
- (3) Bezitramide;
- (4) Dihydrocodeine;
- (5) Diphenoxylate;
- (6) Fentanyl;
- (7) Isomethadone;
- (8) Levomethorphan;
- (9) Levorphanol;
- (10) Metazocine;
- (11) Methadone;
- (12) Methadone—Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;
- (13) Moramide—Intermediate, 2-methyl-3-morpholino-1, (~~(1-diphenylpropane-carboxylic))~~ 1-diphenylpropane-carboxylic acid;
- (14) Pethidine (meperidene);
- (15) Pethidine—Intermediate—A, 4-cyano-1-methyl-4-phenylpiperidine;
- (16) Pethidine—Intermediate—B, ethyl-4-phenylpiperidine-4-carboxylate;
- (17) Pethidine—Intermediate—C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- (18) Phenazocine;
- (19) Piminodine;
- (20) Racemethorphan;
- (21) Racemorphan.

(d) 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:

(1) Amphetamine, its salts, optical isomers, and salts of its optical isomers;

(2) Methamphetamine, its salts, isomers, and salts of its isomers;

(3) Phenmetrazine and its salts;

(4) Methylphenidate.

(e) Depressants. 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 depressant effect on the central nervous system, 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) Amobarbital;

(2) Methaqualone;

(3) Pentobarbital;

(4) Phencyclidine;

(5) Phencyclidine immediate precursors;

(i) 1-phenylcyclohexylamine;

(ii) 1-piperidinocyclohexanecarbonitrile (PCC);

(6) Secobarbital.

Sec. 3. Section 69.50.208, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.208 are each amended to read as follows:

(a) The ~~((controlled))~~ 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 III.

(b) 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 ~~((potential for abuse associated with a))~~ stimulant effect on the central nervous system~~((:~~

~~(1) Amphetamine, its salts, optical isomers, and salts of its optical isomers;~~

~~(2) Phenmetrazine and its salts;~~

~~(3) Any substance which contains any quantity of methamphetamine, including its salts, isomers, and salts of isomers;~~

~~(4) Methylphenidate)), 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) Those compounds, mixtures, or preparations in dosage unit form containing any stimulant substances listed in Schedule II which compounds,

mixtures, or preparations are referred to as excepted compounds in Schedule III as published in 21 CFR 1308.13(b)(1) as of April 1, 1979, and any other drug of the quantitative composition shown in that list for those drugs or which is the same except that it contains a lesser quantity of controlled substances;

(2) Benzphetamine;

(3) Chlorphentermine;

(4) Clortermine;

(5) Mazindol;

(6) Phendimetrazine.

(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 having a (~~potential for abuse associated with a~~) depressant effect on the central nervous system:

(1) Any compound, mixture, or preparation containing:

(i) Amobarbital;

(ii) Secobarbital;

(iii) Pentobarbital;

or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule;

(2) Any suppository dosage form containing:

(i) Amobarbital;

(ii) Secobarbital;

(iii) Pentobarbital;

or any salt of any of these drugs and approved by the Food and Drug Administration for marketing only as a suppository;

(3) Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid(~~, except those substances which are specifically listed in other Schedules~~);

~~((2))~~ (4) Chlorhexadol;

~~((3))~~ (5) Glutethimide;

~~((4))~~ (6) Lysergic acid;

~~((5))~~ (7) Lysergic acid amide;

~~((6))~~ (8) Methyprylon;

~~((7) Phencyclidine;~~

~~(8))~~ (9) Sulfondiethylmethane;

~~((9))~~ (10) Sulfonethylmethane;

~~((10))~~ (11) Sulfonmethane.

(d) Nalorphine.

(e) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof calculated as the free anhydrous base or alkaloid, in limited quantities as set forth in paragraph (e) of this section:

(1) Not more than 1.8 grams of codeine(~~(, or any of its salts,)~~) per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

(2) Not more than 1.8 grams of codeine(~~(, or any of its salts,)~~) per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(3) Not more than 300 milligrams of dihydrocodeinone(~~(, or any of its salts,)~~) per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;

(4) Not more than 300 milligrams of dihydrocodeinone(~~(, or any of its salts,)~~) per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(5) Not more than 1.8 grams of dihydrocodeine(~~(, or any of its salts,)~~) per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(6) Not more than 300 milligrams of ethylmorphine(~~(, or any of its salts,)~~) per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more ingredients in recognized therapeutic amounts;

(7) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(8) Not more than 50 milligrams of morphine(~~(, or any of its salts,)~~) per 100 milliliters or per 100 grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

~~((f) The state board of pharmacy may except by rule any compound, mixture, or preparation containing any stimulant or depressant substance listed in subsections (b) and (c) from the application of all or any part of this chapter if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a stimulant or depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a stimulant or depressant effect on the central nervous system.))~~

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

(a) The ~~((controlled))~~ 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 ~~((quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system:))~~ 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;
- ~~((5))~~ (9) Ethinamate;
- ~~((6))~~ Methohexital;
- ~~(7))~~ (10) Flurazepam;
- (11) Lorazepam;
- (12) Mebutamate;
- (13) Meprobamate;
- (14) Methohexital;
- ~~((8))~~ (15) Methylphenobarbital (mephobarbital);
- (16) Oxazepam;
- ~~((9))~~ (17) Paraldehyde;
- ~~((10))~~ (18) Petrichloral;
- ~~((11) Phenobarbital))~~ (19) Pentobarbital;
- (20) Prazepam.

~~((c) The state board of pharmacy may except by rule any compound, mixture, or preparation containing any depressant substance listed in subsection (b) from the application of all or any part of this chapter if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a depressant effect on the central nervous system.))~~

(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. 5. Section 69.50.212, chapter 308, Laws of 1971 ex. sess. and RCW 69.50.212 are each amended to read as follows:

(a) The ~~((controlled))~~ 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 V.

(b) Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture, or preparation containing ~~((limited quantities of))~~ any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth in this section, which ~~((also contains))~~ shall include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation, valuable medicinal qualities other than those possessed by the narcotic drug alone:

(1) Not more than 200 milligrams of codeine~~((; or any of its salts,))~~ per 100 milliliters or per 100 grams;

(2) Not more than 100 milligrams of dihydrocodeine~~((; or any of its salts,))~~ per 100 milliliters or per 100 grams;

(3) Not more than 100 milligrams of ethylmorphine~~((; or any of its salts,))~~ per 100 milliliters or per 100 grams;

(4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit;

(5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams;

(6) Not more than 0.5 milligrams of difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit;

(c) Loperamide.

Sec. 6. Section 69.50.402, chapter 308, Laws of 1971 ex. sess. as amended by section 1, chapter 119, Laws of 1979 ex. sess. and RCW 69.50.402 are each amended to read as follows:

(a) It is unlawful for any person:

(1) who is subject to Article III to distribute or dispense a controlled substance in violation of RCW 69.50.308;

(2) who is a registrant, to manufacture a controlled substance not authorized by his registration, or to distribute or dispense a controlled substance not authorized by his registration to another registrant or other authorized person;

(3) who is a practitioner, to prescribe, order, dispense, administer, supply, or give to any person:

(i) any amphetamine, including its salts, optical isomers, and salts of optical isomers classified as a schedule II controlled substance by the board of pharmacy pursuant to chapter 34.04 RCW; or

(ii) any nonnarcotic stimulant classified as a schedule II controlled substance and designated as a nonnarcotic stimulant by the board of pharmacy pursuant to chapter 34.04 RCW;

except for the treatment of narcolepsy or for the treatment of hyperkinesia, or for the treatment of drug-induced brain dysfunction, or for the treatment of epilepsy, or for the differential diagnostic psychiatric evaluation of depression, or for the treatment of depression shown to be refractory to other therapeutic modalities, or for the clinical investigation of the effects of such drugs or compounds, in which case an investigative protocol therefor shall have been submitted to and reviewed and approved by the state board of pharmacy before the investigation has been begun: PROVIDED, That the board of pharmacy, in consultation with the medical disciplinary board and the osteopathic disciplinary board, may establish by rule, pursuant to chapter 34.04 RCW, disease states or conditions in addition to those listed in this subsection for the treatment of which Schedule II nonnarcotic stimulants may be prescribed, ordered, dispensed, administered, supplied, or given to patients by practitioners: AND PROVIDED, FURTHER, That investigations by the board of pharmacy of abuse of prescriptive authority by physicians, licensed pursuant to chapter 18.71 RCW, pursuant to subsection (a)(3) of this section shall be done in consultation with the medical disciplinary board;

(4) to refuse or fail to make, keep or furnish any record, notification, order form, statement, invoice or information required under this chapter;

(5) to refuse an entry into any premises for any inspection authorized by this chapter; or

(6) knowingly to keep or maintain any store, shop, warehouse, dwelling, building, vehicle, boat, aircraft, or other structure or place, which is resorted to by persons using controlled substances in violation of this chapter for the purpose of using these substances, or which is used for keeping or selling them in violation of this chapter.

(b) Any person who violates this section is guilty of a crime and upon conviction may be imprisoned for not more than two years, fined not more than two thousand dollars, or both.

NEW SECTION. Sec. 7. Section 6 of this 1980 act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House March 3, 1980.

Passed the Senate February 29, 1980.

Approved by the Governor March 13, 1980.

Filed in Office of Secretary of State March 13, 1980.

CHAPTER 139

[Substitute House Bill No. 1515]

HEALTH PLANNING IMPLEMENTATION

AN ACT Relating to health; implementing amendments to the National Health Planning and Resources Development Act of 1974; amending section 1, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.015; amending section 2, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.025; amending section 4, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.045; amending section 5, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.055; amending section 6, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.065; amending section 8, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.085; amending section 10, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.105; amending section 11, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.115; amending section 12, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.125; adding new sections to chapter 70.38 RCW; repealing section 7, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.075; and providing an effective date.

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

Section 1. Section 1, chapter 161, Laws of 1979 ex. sess. and RCW 70.38.015 are each amended to read as follows:

In consideration of the findings made and national health priorities declared by the congress in the National Health Planning and Resources Development Act of 1974, Public Law 93-641, it is declared to be the public policy of this state:

(1) That planning for promoting, maintaining, and assuring a high level of health for all citizens of the state, and for the provision of health services, health manpower, health facilities, and other resources is essential to the health, safety, and welfare of the people of the state. Such planning is necessary on both a state-wide and regional basis and must maintain responsiveness to changing health and social needs and conditions. The marshaling of all health resources to assure the quality and availability of health services to every person must be the goal of such planning, which must likewise assure optimum efficiency, effectiveness, equity, coordination, and economy in development and implementation to reach that goal. Regional health planning under the provisions of this chapter and in a manner consistent with RCW 36.70.015 is declared to be a proper public purpose for the expenditure of funds of counties or other public entities interested in regional health planning;