

(2) Education solely avocational or recreational in nature and institutions offering such education exclusively;

(3) Education offered by charitable institutions, organizations, or agencies: PROVIDED, That such education is not advertised or promoted as leading toward educational credentials;

(4) Institutions that are established, operated, and governed by this state or its political subdivisions under the provisions of Titles 28A, 28B and 28C RCW;

(5) Institutions that have been accredited by any accrediting association recognized by the agency for the purposes of this act: PROVIDED, That an institution, branch, extension or facility operating within the state of Washington which is affiliated with an institution operating in another state must be a separately accredited member institution of any such accrediting association to qualify for this exemption.

(6) Any other institution to the extent that it has been exempted from some or all of the provisions of this chapter in accordance with the hardship exemption procedure in RCW 28B.05.130.

(7) Institutions not otherwise exempt that are of a religious character, but only as to those education programs exclusively devoted to religious or theological objectives, and that are represented in an accurate manner in institutional catalogs or other official publications.

(8) Educational institutions that are certified by the Federal Aviation Administration under 14 CFR 141 and those educational institutions certified under 14 CFR 61 which offer instruction solely for avocational or recreational purposes.

NEW SECTION. Sec. 2. 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 February 25, 1980.

Passed the Senate February 15, 1980.

Approved by the Governor March 7, 1980.

Filed in Office of Secretary of State March 7, 1980.

CHAPTER 83

[Substitute House Bill No. 1511]

LEGEND DRUGS—IDENTIFICATION—APPROPRIATION

AN ACT Relating to legend drugs; amending section 5, chapter 186, Laws of 1973 1st ex. sess. and RCW 69.41.050; adding new sections to chapter 69.41 RCW; prescribing penalties; making an appropriation; and providing an effective date.

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

NEW SECTION. Section 1. (1) No legend drug in solid dosage form may be manufactured or commercially distributed within this state unless it has clearly marked or imprinted on it an individual symbol, number, company name, words, letters, marking, or National Drug Code number identifying the drug and the manufacturer or distributor of such drug.

(2) No manufacturer or distributor may sell any legend drug contained within a bottle, vial, carton, or other container, or in any way affixed or appended to or enclosed within a package of any kind designed or intended for delivery in such container or package to an ultimate consumer within this state unless such container or package has clearly and permanently marked or imprinted on it an individual symbol, number, company name, words, letters, marking, or National Drug Code number identifying the drug and the manufacturer or distributor of such drug.

(3) Whenever the distributor of a legend drug does not also manufacture it, the names and places of businesses of both shall appear on the stock container or package label in words that truly distinguish each.

NEW SECTION. Sec. 2. The terms defined in this section shall have the meanings indicated when used in sections 1 through 7 of this act.

(1) "Distributor" means any corporation, person, or other entity which distributes for sale a legend drug under its own label even though it is not the actual manufacturer of the legend drug.

(2) "Solid dosage form" means capsules or tablets or similar legend drug products intended for administration and which could be ingested orally.

(3) "Legend drug" means any drugs which are required by state law or regulation of the board to be dispensed as prescription only or are restricted to use by prescribing practitioners only and shall include controlled substances in Schedules II through V of chapter 69.50 RCW.

(4) "Board" means the state board of pharmacy.

NEW SECTION. Sec. 3. Each manufacturer and/or distributor shall publish and provide to the board printed material which will identify each current imprint used by the manufacturer or distributor and the board shall be notified of any change. This information shall be provided by the board to all pharmacies licensed in the state of Washington, poison control centers, and hospital emergency rooms.

NEW SECTION. Sec. 4. Any legend drug prepared or manufactured or offered for sale in violation of this chapter or implementing rules shall be contraband and subject to seizure under the provisions of RCW 69.41.060.

NEW SECTION. Sec. 5. The board shall have authority to promulgate rules and regulations for the enforcement and implementation of RCW 69.41.050 and sections 1 through 7 of this act.

NEW SECTION. Sec. 6. (1) The board, upon application of a manufacturer, may exempt a particular legend drug from the requirements of

RCW 69.41.050 and sections 1 through 7 of this act on the grounds that imprinting is infeasible because of size, texture, or other unique characteristics.

(2) The provisions of RCW 69.41.050 and sections 1 through 7 of this act shall not apply to any legend drug which is prepared or manufactured by a pharmacy in this state and is for the purpose of retail sale from such pharmacy and not intended for resale.

NEW SECTION. Sec. 7. All legend drugs manufactured or distributed for resale to any entity in this state other than the ultimate consumer shall meet the requirements of RCW 69.41.050 and sections 1 through 7 of this act from a date eighteen months after the effective date of this 1980 act.

Sec. 8. Section 5, chapter 186, Laws of 1973 1st ex. sess. and RCW 69-41.050 are each amended to read as follows:

To every box, bottle, jar, tube or other container of a legend drug, which is dispensed by a practitioner authorized to prescribe legend drugs, there shall be affixed a label bearing the name of the prescriber, complete directions for use, the name of the drug either by the brand or generic name and strength per unit dose, name of patient and date: PROVIDED, That the practitioner may omit the name and dosage of the drug if he determines that his patient should not have this information and that, if the drug dispensed is a trial sample in its original package and which is labeled in accordance with federal law or regulation, there need be set forth additionally only the name of the issuing practitioner and the name of the patient.

NEW SECTION. Sec. 9. Sections 1 through 7 of this act are each added to chapter 69.41 RCW.

NEW SECTION. Sec. 10. There is hereby appropriated to the board of pharmacy from the general fund the sum of twenty-two thousand six hundred fifty-six dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

Passed the House February 1, 1980.

Passed the Senate February 18, 1980.

Approved by the Governor March 7, 1980.

Filed in Office of Secretary of State March 7, 1980.

CHAPTER 84

[House Bill No. 1521]

PUBLIC ASSISTANCE—PROPERTY AND INCOME EXEMPTIONS— APPROPRIATION

AN ACT Relating to public assistance; amending section 74.04.005, chapter 26, Laws of 1959 as last amended by section 294, chapter 141, Laws of 1979 and RCW 74.04.005; amending section 74.04.300, chapter 26, Laws of 1959 as last amended by section 306, chapter 141, Laws of 1979 and RCW 74.04.300; and making an appropriation.