### Agenda Item/Title:
Authorize Filing of CR 101 for Electronic Prescribing Waiver

### Date SBAR Communication Prepared:
October 14, 2019

### Reviewer:
Caitlin Gates, Rules and Legislative Consultant

### Link to Action Plan:

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### Situation:
The Pharmacy Quality Assurance Commission (Commission) will consider approving the filing of a CR 101 in order to begin the process to create a rule that would implement the legislative requirement for all prescribers to electronically communicate all controlled substance prescriptions.

### Background:
During the 2019 Legislative Session the Legislature passed Substitute Senate Bill 5380, this bill amended RCW 69.50.312 which requires all controlled substance prescriptions to be electronically communicated unless the prescriber receives a waiver from the Department of Health (Department.) As the regulatory authority of the Controlled Substance Act staff determined the waiver should be placed within the Commission’s rule chapter.

The rule will establish the criteria for prescribers to receive a waiver from the Department to exempt them from complying with the electronic prescribing mandate which goes into effect on January 1, 2021. This rule will address economic, technological and other exceptional circumstances that prohibit a prescriber from electronically prescribing. The Commission will not be responsible for reviewing these waiver requests. Waiver requests will be sent to the prescribing boards and commissions for their review.

(meeting 10/17) The Medical Commission and the Nursing Quality Assurance Commission supports the Pharmacy Commission leading this rule development and placing the standards in rules related to controlled substances. They did express concerns over implementation and processes for approving/denying waivers. this can be mitigated by continuing to keep them informed and part of the rule language development.

### Assessment:
The authorization for staff to file a CR 101 must be approved in order for the Department to comply with the legislative mandate that directs them to create a waiver system.

### Recommendation:
The staff recommends that the Commission:
- Approve staff to move forward with filing a CR 101.

### Follow-up Action:
Document the Commission’s comments and/or any other suggestions made by the Commission at this meeting.