
SENATE BILL 6144

State of Washington

68th Legislature

2024 Regular Session

By Senators Randall, Rivers, Muzzall, Dhingra, Robinson, and Van De Wege

1 AN ACT Relating to establishing a prescribing psychologist
2 certification in Washington state; amending RCW 18.83.010, 18.83.035,
3 18.83.050, 18.83.080, 18.83.090, 18.64.011, and 18.79.260; reenacting
4 and amending RCW 69.50.101; adding new sections to chapter 18.83 RCW;
5 and creating a new section.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** The legislature finds that:

8 (1) One in five adults in Washington experience a mental illness
9 each year;

10 (2) More than half of people with a mental health condition did
11 not receive any treatment in the last year;

12 (3) The association of American medical colleges forecasts a
13 long-term and persistent shortage of doctors, including specialty
14 providers, in a 2021 report;

15 (4) Other states, the department of defense, and the Indian
16 health service have all successfully credentialed prescribing
17 psychologists to safely prescribe psychotropic medications; and

18 (5) Washington residents will benefit from increased access and
19 decreased costs by creating a new credential for prescribing
20 psychology.

1 **Sec. 2.** RCW 18.83.010 and 1994 c 35 s 1 are each amended to read
2 as follows:

3 (~~When used in this chapter:~~

4 ~~(1) The "practice~~) The definitions in this section apply
5 throughout this chapter unless the context clearly requires
6 otherwise.

7 (1) "Board" means the examining board of psychology.

8 (2) "Clinical experience" means a period of supervised clinical
9 training and practice conducted as part of a training program in
10 which clinical diagnoses and interventions are learned.

11 (3) "Department" means the department of health.

12 (4) "Practice of psychology" means the observation, evaluation,
13 interpretation, and modification of human behavior by the application
14 of psychological principles, methods, and procedures for the purposes
15 of preventing or eliminating symptomatic or maladaptive behavior and
16 promoting mental and behavioral health. It includes, but is not
17 limited to, providing the following services to individuals,
18 families, groups, organizations, and the public, whether or not
19 payment is received for services rendered:

20 (a) Psychological measurement, assessment, and evaluation by
21 means of psychological, neuropsychological, and psychoeducational
22 testing;

23 (b) Diagnosis and treatment of mental, emotional, and behavioral
24 disorders, and psychological aspects of illness, injury, and
25 disability; and

26 (c) Counseling and guidance, psychotherapeutic techniques,
27 remediation, health promotion, and consultation within the context of
28 established psychological principles and theories.

29 This definition does not include the teaching of principles of
30 psychology for accredited educational institutions, or the conduct of
31 research in problems of human or animal behavior.

32 Nothing in this definition shall be construed as permitting the
33 administration or prescribing of drugs except as allowed in this
34 chapter or in any way infringing upon the practice of medicine and
35 surgery as defined in chapter 18.71 RCW.

36 (~~(2)~~) (5) "Prescribing psychologist" means a person who holds
37 an active license to engage in the practice of psychology under this
38 chapter and an active certificate as a prescribing psychologist under
39 section 3 of this act, and is limited by the restrictions under
40 section 4 of this act.

1 (6) "Prescription" has the same meaning as defined in RCW
2 18.64.011.

3 (7) "Prescriptive authority" means the authority of a prescribing
4 psychologist to prescribe, administer, discontinue, and distribute
5 psychotropic medications recognized or customarily used in the
6 diagnosis, treatment, and management of individuals with psychiatric,
7 mental, cognitive, nervous, emotional, developmental, or behavioral
8 disorders identified in the most recent edition of a widely accepted
9 classification system of mental disorders, as identified by the
10 secretary. The term includes ordering and obtaining necessary
11 laboratory tests, procedures, and diagnostic examinations.

12 (8) "Psychotropic medication" means substances recognized as
13 drugs, including controlled substances used to treat mental
14 illnesses, in the official United States pharmacopoeia, official
15 homeopathic pharmacopeia of the United States, official national
16 formulary, or any respective supplement to those publications.

17 (9) "Secretary" means the secretary of health.

18 ~~((3) "Board" means the examining board of psychology.~~

19 ~~(4) "Department" means the department of health.))~~

20 NEW SECTION. Sec. 3. A new section is added to chapter 18.83
21 RCW to read as follows:

22 (1) A psychologist licensed under this chapter may apply for
23 certification as a prescribing psychologist.

24 (2) The board shall certify an applicant as a prescribing
25 psychologist if the applicant demonstrates to the board, by official
26 transcript or other official evidence satisfactory to the board, that
27 the applicant:

28 (a) Holds a current license as a psychologist under this chapter;

29 (b) Holds a doctorate degree obtained from an integrated program
30 of graduate study in psychology, as defined in rule by the board;

31 (c) Has successfully completed a designated master's degree
32 program in clinical psychopharmacology that meets the criteria
33 established in subsection (3) of this section;

34 (d) Has successfully completed at least 80 hours of supervised
35 clinical experience in physical assessment, including physical
36 examinations with instruction in the proper use of instruments used
37 in physical examination, supervised by a medical provider licensed to
38 conduct independent physical assessments;

1 (e) Has successfully completed a clinical prescribing fellowship
2 under the supervision of a qualified supervisor including clinical
3 experience sufficient to attain competency in the
4 psychopharmacological treatment of a diverse patient population, to
5 be comprised of no less than 500 hours and 100 individual patients.
6 Qualified supervisors are licensed health care providers with
7 specialized training and experience in the management of psychotropic
8 medication who are licensed in Washington state or pursuant to a
9 substantially equivalent licensing provision of the law of another
10 state, as established by the board, including physicians, osteopathic
11 physicians, psychiatric nurse practitioners, or prescribing
12 psychologists; and

13 (f) Has passed an examination relevant to establishing competence
14 for prescribing as developed by a nationally recognized organization
15 and approved by the board.

16 (3) A designated master's degree program in clinical
17 psychopharmacology must be an accredited program within a regionally
18 accredited institution of higher education approved by the United
19 States department of education, satisfy requirements for designation
20 established by the board, and be substantially equivalent to the
21 training required of advanced practice psychiatric nurses. The board
22 may use the standards of an association which publishes relevant
23 education and training program standards such as the American
24 psychological association. The didactic portion of the program shall
25 include at least two years of education, a minimum of 400 contact
26 hours, or the equivalent thereof, and include sufficient biomedical
27 education to ensure the necessary knowledge and skills to prescribe
28 psychotropic medications in a safe and effective manner, including
29 but not limited to:

30 (a) Science prerequisites, including human anatomy and human
31 physiology, and a course in biology;

32 (b) Basic science, including human anatomy, human physiology,
33 biochemistry, and genetics;

34 (c) Functional neuroscience, including neuroanatomy,
35 neurophysiology, and neurochemistry;

36 (d) Physical examinations, including the measurement and
37 interpretation of vital signs and neurological, cardiovascular,
38 respiratory, abdominal, eye, ear, nose, throat, gastrointestinal,
39 genitourinary, integumentary, allergic and immunologic, and
40 musculoskeletal examinations;

1 (e) Interpretation of laboratory tests, including therapeutic
2 drug monitoring, blood and urine tests, radiology, electrocardiogram,
3 brain electrophysiology, neuroimaging techniques, and applied
4 genetics;

5 (f) Pathological basis of disease, including pathophysiology of
6 common clinical cardiovascular, respiratory, gastrointestinal,
7 hepatic, neurological, and endocrine conditions;

8 (g) Clinical medicine, including clinical manifestations,
9 differential diagnosis, laboratory or radiological evaluation of
10 commonly encountered medical conditions such as patients with complex
11 medical needs and comorbidities, and medical emergencies and their
12 management;

13 (h) Clinical neurotherapeutics, including electrophysiology,
14 electroconvulsive therapy, and noninvasive interventions, such as
15 transcranial magnetic stimulation, neurofeedback, and biofeedback;

16 (i) Systems of care, including coordination of care with other
17 medical specialties, consultations and referrals, and coordination
18 and consultation in long-term care;

19 (j) Pharmacology, including pharmacokinetics and drug delivery
20 systems, pharmacodynamics, neuropharmacology, toxicology, and
21 mechanisms of medication interactions;

22 (k) Clinical pharmacology, including major drug classes and
23 nutritional supplements;

24 (l) Psychopharmacology, including sedatives and hypnotics,
25 antidepressants, antipsychotics, mood stabilizers, anxiolytics,
26 stimulants, medications for substance use disorders, medications for
27 drug adverse effects, pediatric psychopharmacology, geriatric
28 psychopharmacology, medications for cognitive impairment and
29 polypharmacy, issues of diversity and cultural competence in
30 pharmacological practice, clinical decision making and standard
31 practice guidelines, and guidelines for prescribing controlled
32 substances;

33 (m) Psychopharmacology research, including phases of drug
34 development, clinical trials in psychiatry, and critical evaluation
35 of evidence; and

36 (n) Professional, ethical, and legal issues, including conflicts
37 of interest and relationships with the industry, scope of practice
38 issues, diversity and equity issues related to treatment access and
39 adherence, and documentation issues, including nomenclature,
40 abbreviations, and prescription writing.

1 (4) The board may waive certain requirements for applicants who
2 have obtained relevant training and experience, including
3 psychologists who are dually licensed as physicians, nurse
4 practitioners, or other health professionals with comparable
5 prescriptive authority in Washington.

6 (5) The board may offer a certificate in prescriptive authority
7 by endorsement to an applicant who has a current and unrestricted
8 license to practice psychology and either a current and unrestricted
9 certificate in prescriptive authority from another state, or training
10 from the United States department of defense demonstration project or
11 other similar program developed and operated by any branch of the
12 armed forces that imposes substantially equivalent educational and
13 training requirements as those contained in this chapter and required
14 by the board. Upon payment of the required fees, compliance with
15 relevant statutory provisions, and the approval of the application,
16 the applicant may be certified by endorsement pursuant to this
17 chapter. The board may consider an applicant's experience in
18 prescribing in another state as meeting a portion of the requirements
19 necessary to obtain provisional certification or certification under
20 this chapter, but also shall require additional education and
21 supervision if the board deems it necessary to meet the education and
22 training requirements imposed by this chapter.

23 (6) A certificate issued under this section may be renewed in
24 accordance with RCW 18.83.090.

25 (7) The secretary shall establish the administrative procedures,
26 administrative requirements, and fees for the certificate as provided
27 in RCW 43.70.250 and 43.70.280.

28 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.83
29 RCW to read as follows:

30 (1) The prescriptive authority of a prescribing psychologist is
31 limited to prescribing, administering, discontinuing, and
32 distributing psychotropic medications recognized or customarily used
33 in the diagnosis, treatment, and management of individuals with
34 psychiatric, mental, cognitive, nervous, emotional, developmental, or
35 behavioral disorders identified in the most recent edition of a
36 widely accepted classification system of mental disorders, as
37 identified by the secretary. A prescribing psychologist may order and
38 obtain necessary laboratory tests, procedures, and diagnostic
39 examinations necessary to exercise this prescriptive authority. A

1 psychologist who is not a prescribing psychologist may not exercise
2 this prescriptive authority.

3 (2) When prescribing psychotropic medication for a patient, a
4 prescribing psychologist must maintain an ongoing collaborative
5 relationship with a health care practitioner who oversees the
6 patient's general medical care to ensure that necessary medical
7 examinations are conducted and that the psychotropic medication is
8 appropriate for the patient's medical condition. The prescribing
9 psychologist and the health care practitioner must coordinate the
10 patient's ongoing care.

11 (3) A prescribing psychologist may not prescribe opioid
12 medications except for medications appropriate for treatment of an
13 opioid use disorder which are prescribed for the purpose of treatment
14 of such a disorder.

15 (4) Each prescription issued by a prescribing psychologist must
16 comply with applicable state and federal laws and regulations and be
17 identified as written by the prescribing psychologist in a manner
18 determined by the board.

19 (5) A prescribing psychologist shall ensure that a record of all
20 prescriptions made by the prescribing psychologist is maintained in
21 the patient's record.

22 (6) A prescribing psychologist may not delegate the authority to
23 prescribe drugs or controlled substances to any other person.

24 **Sec. 5.** RCW 18.83.035 and 2022 c 240 s 10 are each amended to
25 read as follows:

26 There is created the examining board of psychology which shall
27 examine the qualifications of applicants for licensing. The board
28 shall consist of nine psychologists, one expert on psychiatric
29 prescribing, and two public members, all appointed by the governor.
30 The public members shall not be and have never been psychologists or
31 in training to be psychologists; they may not have any household
32 member who is a psychologist or in training to be a psychologist;
33 they may not participate or ever have participated in a commercial or
34 professional field related to psychology, nor have a household member
35 who has so participated; and they may not have had within two years
36 before appointment a substantial financial interest in a person
37 regulated by the board. Each psychologist member of the board shall
38 have actively practiced psychology in the state of Washington for at
39 least three years immediately preceding appointment and (~~who is~~) be

1 licensed under this chapter. The member who is an expert on
2 psychiatric prescribing must have specialized training and experience
3 in the management of psychotropic medication and be a prescribing
4 psychologist, physician, osteopathic physician with special knowledge
5 of psychopharmacology, psychiatric nurse practitioner, or pharmacist
6 with expertise in psychopharmacology. Board members shall be
7 appointed for a term of five years, except that the terms of the
8 existing appointees shall be adjusted by the governor so that no more
9 than two members' terms expire each year with all subsequent
10 appointments for a five-year term. Upon the death, resignation, or
11 removal of a member, the governor shall appoint a successor to serve
12 for the unexpired term. The board shall elect one of its members to
13 serve as chairperson.

14 **Sec. 6.** RCW 18.83.050 and 2004 c 262 s 8 are each amended to
15 read as follows:

16 (1) The board shall adopt such rules as it deems necessary to
17 carry out its functions.

18 (2) The board shall examine the qualifications of applicants for
19 licensing under this chapter, to determine which applicants are
20 eligible for licensing under this chapter and shall forward to the
21 secretary the names of applicants so eligible.

22 (3) The board shall administer examinations to qualified
23 applicants on at least an annual basis. The board shall determine the
24 subject matter and scope of the examination, except as provided in
25 RCW 18.83.170. The board may allow applicants to take the examination
26 upon the granting of their doctoral degree before completion of their
27 internship for supervised experience.

28 (4) The board shall:

29 (a) Develop and implement procedures for reviewing the education
30 and training credentials of applicants for certification as a
31 prescribing psychologist;

32 (b) Adopt rules, in consultation with the Washington medical
33 commission, to establish standards for the certification of
34 prescribing psychologists in accordance with section 3 of this act
35 and for their exercise of prescriptive authority under this chapter;
36 and

37 (c) Adopt rules for denying, modifying, suspending, or revoking
38 the certification of a prescribing psychologist. The board may
39 require remediation of any deficiencies in the training or practice

1 pattern of the prescribing psychologist when, in the judgment of the
2 board, such deficiencies could reasonably be expected to jeopardize
3 the health, safety, or welfare of the public.

4 (5) The board shall maintain a current list of each prescribing
5 psychologist's license and certification numbers.

6 (6) The board shall keep a complete record of its own
7 proceedings, of the questions given in examinations, of the names and
8 qualifications of all applicants, and the names and addresses of all
9 licensed psychologists. The examination paper of such applicant shall
10 be kept on file for a period of at least one year after examination.

11 ~~((+5))~~ (7) The board shall, by rule, adopt a code of ethics for
12 psychologists which is designed to protect the public interest.

13 ~~((+6))~~ (8) The board may require that persons licensed under
14 this chapter as psychologists obtain and maintain professional
15 liability insurance in amounts determined by the board to be
16 practicable and reasonably available.

17 **Sec. 7.** RCW 18.83.080 and 1996 c 191 s 66 are each amended to
18 read as follows:

19 The board shall forward to the secretary the name of each
20 applicant entitled to a license or certificate under this chapter.
21 The secretary shall promptly issue to such applicant a license
22 authorizing such applicant to use the title "psychologist"~~((+))~~ or a
23 certificate authorizing the applicant to use the title "prescribing
24 psychologist." Each licensed psychologist shall keep his or her
25 license and, if applicable, prescribing psychologist certificate
26 displayed in a conspicuous place in his or her principal place of
27 business.

28 **Sec. 8.** RCW 18.83.090 and 2009 c 492 s 6 are each amended to
29 read as follows:

30 (1) The board shall establish rules governing mandatory
31 continuing education requirements which shall be met by any
32 psychologist applying for a license or prescribing psychologist
33 certificate renewal.

34 (2) The office of crime victims advocacy shall supply the board
35 with information on methods of recognizing victims of human
36 trafficking, what services are available for these victims, and where
37 to report potential trafficking situations. The information supplied
38 must be culturally sensitive and must include information relating to

1 minor victims. The board shall disseminate this information to
2 licensees by: Providing the information on the board's website;
3 including the information in newsletters; holding trainings at
4 meetings attended by organization members; or (~~through another~~)
5 using other distribution methods determined by the board. The board
6 shall report to the office of crime victims advocacy on the method or
7 methods it uses to distribute information under this subsection.

8 (3) Administrative procedures, administrative requirements, and
9 fees for renewal and reissue of licenses and certificates shall be
10 established as provided in RCW 43.70.250 and 43.70.280.

11 (4) (a) The board shall establish rules for the renewal of a
12 prescribing psychologist certificate issued under section 3 of this
13 act at the time of the renewal of the psychologist's license to
14 practice psychology.

15 (b) Each applicant for renewal of a prescribing psychologist
16 certificate shall present satisfactory evidence to the board
17 demonstrating the completion of continuing education instruction
18 relevant to prescriptive authority during the previous three-year
19 renewal period.

20 **Sec. 9.** RCW 18.64.011 and 2021 c 78 s 1 are each amended to read
21 as follows:

22 The definitions in this section apply throughout this chapter
23 unless the context clearly requires otherwise.

24 (1) "Administer" means the direct application of a drug or
25 device, whether by injection, inhalation, ingestion, or any other
26 means, to the body of a patient or research subject.

27 (2) "Business licensing system" means the mechanism established
28 by chapter 19.02 RCW by which business licenses, endorsed for
29 individual state-issued licenses, are issued and renewed utilizing a
30 business license application and a business license expiration date
31 common to each renewable license endorsement.

32 (3) "Chart order" means a lawful order for a drug or device
33 entered on the chart or medical record of an inpatient or resident of
34 an institutional facility by a practitioner or his or her designated
35 agent.

36 (4) "Closed door long-term care pharmacy" means a pharmacy that
37 provides pharmaceutical care to a defined and exclusive group of
38 patients who have access to the services of the pharmacy because they
39 are treated by or have an affiliation with a long-term care facility

1 or hospice program, and that is not a retailer of goods to the
2 general public.

3 (5) "Commission" means the pharmacy quality assurance commission.

4 (6) "Compounding" means the act of combining two or more
5 ingredients in the preparation of a prescription. Reconstitution and
6 mixing of (a) sterile products according to federal food and drug
7 administration-approved labeling does not constitute compounding if
8 prepared pursuant to a prescription and administered immediately or
9 in accordance with package labeling, and (b) nonsterile products
10 according to federal food and drug administration-approved labeling
11 does not constitute compounding if prepared pursuant to a
12 prescription.

13 (7) "Controlled substance" means a drug or substance, or an
14 immediate precursor of such drug or substance, so designated under or
15 pursuant to the provisions of chapter 69.50 RCW.

16 (8) "Deliver" or "delivery" means the actual, constructive, or
17 attempted transfer from one person to another of a drug or device,
18 whether or not there is an agency relationship.

19 (9) "Department" means the department of health.

20 (10) "Device" means instruments, apparatus, and contrivances,
21 including their components, parts, and accessories, intended (a) for
22 use in the diagnosis, cure, mitigation, treatment, or prevention of
23 disease in human beings or other animals, or (b) to affect the
24 structure or any function of the body of human beings or other
25 animals.

26 (11) "Dispense" means the interpretation of a prescription or
27 order for a drug, biological, or device and, pursuant to that
28 prescription or order, the proper selection, measuring, compounding,
29 labeling, or packaging necessary to prepare that prescription or
30 order for delivery.

31 (12) "Distribute" means the delivery of a drug or device other
32 than by administering or dispensing.

33 (13) "Drug" and "devices" do not include surgical or dental
34 instruments or laboratory materials, gas and oxygen, therapy
35 equipment, X-ray apparatus or therapeutic equipment, their component
36 parts or accessories, or equipment, instruments, apparatus, or
37 contrivances used to render such articles effective in medical,
38 surgical, or dental treatment, or for use or consumption in or for
39 mechanical, industrial, manufacturing, or scientific applications or
40 purposes. "Drug" also does not include any article or mixture covered

1 by the Washington pesticide control act (chapter 15.58 RCW), as
2 enacted or hereafter amended, nor medicated feed intended for and
3 used exclusively as a feed for animals other than human beings.

4 (14) "Drugs" means:

5 (a) Articles recognized in the official United States
6 pharmacopoeia or the official homeopathic pharmacopoeia of the United
7 States;

8 (b) Substances intended for use in the diagnosis, cure,
9 mitigation, treatment, or prevention of disease in human beings or
10 other animals;

11 (c) Substances (other than food) intended to affect the structure
12 or any function of the body of human beings or other animals; or

13 (d) Substances intended for use as a component of any substances
14 specified in (a), (b), or (c) of this subsection, but not including
15 devices or their component parts or accessories.

16 (15) "Health care entity" means an organization that provides
17 health care services in a setting that is not otherwise licensed by
18 the state to acquire or possess legend drugs. Health care entity
19 includes a freestanding outpatient surgery center, a residential
20 treatment facility, and a freestanding cardiac care center. "Health
21 care entity" does not include an individual practitioner's office or
22 a multipractitioner clinic, regardless of ownership, unless the owner
23 elects licensure as a health care entity. "Health care entity" also
24 does not include an individual practitioner's office or
25 multipractitioner clinic identified by a hospital on a pharmacy
26 application or renewal pursuant to RCW 18.64.043.

27 (16) "Hospice program" means a hospice program certified or paid
28 by medicare under Title XVIII of the federal social security act, or
29 a hospice program licensed under chapter 70.127 RCW.

30 (17) "Institutional facility" means any organization whose
31 primary purpose is to provide a physical environment for patients to
32 obtain health care services including, but not limited to, services
33 in a hospital, long-term care facility, hospice program, mental
34 health facility, drug abuse treatment center, residential
35 habilitation center, or a local, state, or federal correction
36 facility.

37 (18) "Labeling" means the process of preparing and affixing a
38 label to any drug or device container. The label must include all
39 information required by current federal and state law and pharmacy
40 rules.

1 (19) "Legend drugs" means any drugs which are required by any
2 applicable federal or state law or regulation to be dispensed on
3 prescription only or are restricted to use by practitioners only.

4 (20) "Long-term care facility" means a nursing home licensed
5 under chapter 18.51 RCW, an assisted living facility licensed under
6 chapter 18.20 RCW, or an adult family home licensed under chapter
7 70.128 RCW.

8 (21) "Manufacture" means the production, preparation,
9 propagation, compounding, or processing of a drug or other substance
10 or device or the packaging or repackaging of such substance or
11 device, or the labeling or relabeling of the commercial container of
12 such substance or device, but does not include the activities of a
13 practitioner who, as an incident to his or her administration or
14 dispensing such substance or device in the course of his or her
15 professional practice, personally prepares, compounds, packages, or
16 labels such substance or device. "Manufacture" includes the
17 distribution of a licensed pharmacy compounded drug product to other
18 state licensed persons or commercial entities for subsequent resale
19 or distribution, unless a specific product item has approval of the
20 commission. The term does not include:

21 (a) The activities of a licensed pharmacy that compounds a
22 product on or in anticipation of an order of a licensed practitioner
23 for use in the course of their professional practice to administer to
24 patients, either personally or under their direct supervision;

25 (b) The practice of a licensed pharmacy when repackaging
26 commercially available medication in small, reasonable quantities for
27 a practitioner legally authorized to prescribe the medication for
28 office use only;

29 (c) The distribution of a drug product that has been compounded
30 by a licensed pharmacy to other appropriately licensed entities under
31 common ownership or control of the facility in which the compounding
32 takes place; or

33 (d) The delivery of finished and appropriately labeled compounded
34 products dispensed pursuant to a valid prescription to alternate
35 delivery locations, other than the patient's residence, when
36 requested by the patient, or the prescriber to administer to the
37 patient, or to another licensed pharmacy to dispense to the patient.

38 (22) "Manufacturer" means a person, corporation, or other entity
39 engaged in the manufacture of drugs or devices.

1 (23) "Nonlegend" or "nonprescription" drugs means any drugs which
2 may be lawfully sold without a prescription.

3 (24) "Person" means an individual, corporation, government,
4 governmental subdivision or agency, business trust, estate, trust,
5 partnership or association, or any other legal entity.

6 (25) "Pharmacist" means a person duly licensed by the commission
7 to engage in the practice of pharmacy.

8 (26) "Pharmacy" means every place properly licensed by the
9 commission where the practice of pharmacy is conducted.

10 (27) "Poison" does not include any article or mixture covered by
11 the Washington pesticide control act (chapter 15.58 RCW), as enacted
12 or hereafter amended.

13 (28) "Practice of pharmacy" includes the practice of and
14 responsibility for: Interpreting prescription orders; the
15 compounding, dispensing, labeling, administering, and distributing of
16 drugs and devices; the monitoring of drug therapy and use; the
17 initiating or modifying of drug therapy in accordance with written
18 guidelines or protocols previously established and approved for his
19 or her practice by a practitioner authorized to prescribe drugs; the
20 participating in drug utilization reviews and drug product selection;
21 the proper and safe storing and distributing of drugs and devices and
22 maintenance of proper records thereof; the providing of information
23 on legend drugs which may include, but is not limited to, the
24 advising of therapeutic values, hazards, and the uses of drugs and
25 devices.

26 (29) "Practitioner" means a physician, dentist, veterinarian,
27 nurse, prescribing psychologist, or other person duly authorized by
28 law or rule in the state of Washington to prescribe drugs.

29 (30) "Prescription" means an order for drugs or devices issued by
30 a practitioner duly authorized by law or rule in the state of
31 Washington to prescribe drugs or devices in the course of his or her
32 professional practice for a legitimate medical purpose.

33 (31) "Secretary" means the secretary of health or the secretary's
34 designee.

35 (32) "Shared pharmacy services" means a system that allows a
36 participating pharmacist or pharmacy pursuant to a request from
37 another participating pharmacist or pharmacy to process or fill a
38 prescription or drug order, which may include but is not necessarily
39 limited to preparing, packaging, labeling, data entry, compounding
40 for specific patients, dispensing, performing drug utilization

1 reviews, conducting claims adjudication, obtaining refill
2 authorizations, reviewing therapeutic interventions, or reviewing
3 chart orders.

4 (33) "Wholesaler" means a corporation, individual, or other
5 entity which buys drugs or devices for resale and distribution to
6 corporations, individuals, or entities other than consumers.

7 **Sec. 10.** RCW 18.79.260 and 2022 c 14 s 2 are each amended to
8 read as follows:

9 (1) A registered nurse under his or her license may perform for
10 compensation nursing care, as that term is usually understood, to
11 individuals with illnesses, injuries, or disabilities.

12 (2) A registered nurse may, at or under the general direction of
13 a licensed physician and surgeon, dentist, osteopathic physician and
14 surgeon, naturopathic physician, optometrist, podiatric physician and
15 surgeon, physician assistant, advanced registered nurse practitioner,
16 prescribing psychologist, or midwife acting within the scope of his
17 or her license, administer medications, treatments, tests, and
18 inoculations, whether or not the severing or penetrating of tissues
19 is involved and whether or not a degree of independent judgment and
20 skill is required. Such direction must be for acts which are within
21 the scope of registered nursing practice.

22 (3) A registered nurse may delegate tasks of nursing care to
23 other individuals where the registered nurse determines that it is in
24 the best interest of the patient.

25 (a) The delegating nurse shall:

26 (i) Determine the competency of the individual to perform the
27 tasks;

28 (ii) Evaluate the appropriateness of the delegation;

29 (iii) Supervise the actions of the person performing the
30 delegated task; and

31 (iv) Delegate only those tasks that are within the registered
32 nurse's scope of practice.

33 (b) A registered nurse, working for a home health or hospice
34 agency regulated under chapter 70.127 RCW, may delegate the
35 application, instillation, or insertion of medications to a
36 registered or certified nursing assistant under a plan of care.

37 (c) Except as authorized in (b) or (e) of this subsection, a
38 registered nurse may not delegate the administration of medications.
39 Except as authorized in (e) or (f) of this subsection, a registered

1 nurse may not delegate acts requiring substantial skill, and may not
2 delegate piercing or severing of tissues. Acts that require nursing
3 judgment shall not be delegated.

4 (d) No person may coerce a nurse into compromising patient safety
5 by requiring the nurse to delegate if the nurse determines that it is
6 inappropriate to do so. Nurses shall not be subject to any employer
7 reprisal or disciplinary action by the (~~nursing care quality~~
8 ~~assurance commission~~) board of nursing for refusing to delegate
9 tasks or refusing to provide the required training for delegation if
10 the nurse determines delegation may compromise patient safety.

11 (e) For delegation in community-based care settings or in-home
12 care settings, a registered nurse may delegate nursing care tasks
13 only to registered or certified nursing assistants under chapter
14 18.88A RCW or home care aides certified under chapter 18.88B RCW.
15 Simple care tasks such as blood pressure monitoring, personal care
16 service, diabetic insulin device set up, verbal verification of
17 insulin dosage for sight-impaired individuals, or other tasks as
18 defined by the (~~nursing care quality assurance commission~~) board of
19 nursing are exempted from this requirement.

20 (i) "Community-based care settings" includes: Community
21 residential programs for people with developmental disabilities,
22 certified by the department of social and health services under
23 chapter 71A.12 RCW; adult family homes licensed under chapter 70.128
24 RCW; and assisted living facilities licensed under chapter 18.20 RCW.
25 Community-based care settings do not include acute care or skilled
26 nursing facilities.

27 (ii) "In-home care settings" include an individual's place of
28 temporary or permanent residence, but does not include acute care or
29 skilled nursing facilities, and does not include community-based care
30 settings as defined in (e)(i) of this subsection.

31 (iii) Delegation of nursing care tasks in community-based care
32 settings and in-home care settings is only allowed for individuals
33 who have a stable and predictable condition. "Stable and predictable
34 condition" means a situation in which the individual's clinical and
35 behavioral status is known and does not require the frequent presence
36 and evaluation of a registered nurse.

37 (iv) The determination of the appropriateness of delegation of a
38 nursing task is at the discretion of the registered nurse. Other than
39 delegation of the administration of insulin by injection for the
40 purpose of caring for individuals with diabetes, the administration

1 of medications by injection, sterile procedures, and central line
2 maintenance may never be delegated.

3 (v) When delegating insulin injections under this section, the
4 registered nurse delegator must instruct the individual regarding
5 proper injection procedures and the use of insulin, demonstrate
6 proper injection procedures, and must supervise and evaluate the
7 individual performing the delegated task as required by the
8 (~~commission~~) board by rule. If the registered nurse delegator
9 determines that the individual is competent to perform the injection
10 properly and safely, supervision and evaluation shall occur at an
11 interval determined by the (~~commission~~) board by rule.

12 (vi) (A) The registered nurse shall verify that the nursing
13 assistant or home care aide, as the case may be, has completed the
14 required core nurse delegation training required in chapter 18.88A or
15 18.88B RCW prior to authorizing delegation.

16 (B) Before commencing any specific nursing tasks authorized to be
17 delegated in this section, a home care aide must be certified
18 pursuant to chapter 18.88B RCW and must comply with RCW 18.88B.070.

19 (vii) The nurse is accountable for his or her own individual
20 actions in the delegation process. Nurses acting within the protocols
21 of their delegation authority are immune from liability for any
22 action performed in the course of their delegation duties.

23 (viii) Nursing task delegation protocols are not intended to
24 regulate the settings in which delegation may occur, but are intended
25 to ensure that nursing care services have a consistent standard of
26 practice upon which the public and the profession may rely, and to
27 safeguard the authority of the nurse to make independent professional
28 decisions regarding the delegation of a task.

29 (f) The delegation of nursing care tasks only to registered or
30 certified nursing assistants under chapter 18.88A RCW or to home care
31 aides certified under chapter 18.88B RCW may include glucose
32 monitoring and testing.

33 (g) The (~~nursing care quality assurance commission~~) board of
34 nursing may adopt rules to implement this section.

35 (4) Only a person licensed as a registered nurse may instruct
36 nurses in technical subjects pertaining to nursing.

37 (5) Only a person licensed as a registered nurse may hold herself
38 or himself out to the public or designate herself or himself as a
39 registered nurse.

1 **Sec. 11.** RCW 69.50.101 and 2023 c 365 s 2 and 2023 c 220 s 6 are
2 each reenacted and amended to read as follows:

3 The definitions in this section apply throughout this chapter
4 unless the context clearly requires otherwise.

5 (~~((a)—[(1)]))~~) (1) "Administer" means to apply a controlled
6 substance, whether by injection, inhalation, ingestion, or any other
7 means, directly to the body of a patient or research subject by:

8 (~~((1)—[(a)]))~~) (a) a practitioner authorized to prescribe (or, by
9 the practitioner's authorized agent); or

10 (~~((2)—[(b)]))~~) (b) the patient or research subject at the
11 direction and in the presence of the practitioner.

12 (~~((b)—[(2)]))~~) (2) "Agent" means an authorized person who acts on
13 behalf of or at the direction of a manufacturer, distributor, or
14 dispenser. It does not include a common or contract carrier, public
15 warehouseperson, or employee of the carrier or warehouseperson.

16 (~~((c)—[(3)]))~~) (3) "Board" means the Washington state liquor and
17 cannabis board.

18 (~~((d)—[(4)]))~~) (4) "Cannabis" means all parts of the plant
19 *Cannabis*, whether growing or not, with a THC concentration greater
20 than 0.3 percent on a dry weight basis during the growing cycle
21 through harvest and usable cannabis. "Cannabis" does not include hemp
22 or industrial hemp as defined in RCW 15.140.020, or seeds used for
23 licensed hemp production under chapter 15.140 RCW.

24 (~~((e)—[(5)]))~~) (5) "Cannabis concentrates" means products
25 consisting wholly or in part of the resin extracted from any part of
26 the plant *Cannabis* and having a THC concentration greater than
27 (~~((ten))~~) 10 percent.

28 (~~((f)—[(6)]))~~) (6) "Cannabis processor" means a person licensed by
29 the board to process cannabis into cannabis concentrates, useable
30 cannabis, and cannabis-infused products, package and label cannabis
31 concentrates, useable cannabis, and cannabis-infused products for
32 sale in retail outlets, and sell cannabis concentrates, useable
33 cannabis, and cannabis-infused products at wholesale to cannabis
34 retailers.

35 (~~((g)—[(7)]))~~) (7) "Cannabis producer" means a person licensed by
36 the board to produce and sell cannabis at wholesale to cannabis
37 processors and other cannabis producers.

38 (~~((h)(1)—[(8)(a)]))~~) (8)(a) "Cannabis products" means useable
39 cannabis, cannabis concentrates, and cannabis-infused products as
40 defined in this section, including any product intended to be

1 consumed or absorbed inside the body by any means including
2 inhalation, ingestion, or insertion, with any detectable amount of
3 THC.

4 ~~((2) [(b)])~~ (b) "Cannabis products" also means any product
5 containing only THC content.

6 ~~((3) [(e)])~~ (c) "Cannabis products" does not include cannabis
7 health and beauty aids as defined in RCW 69.50.575 or products
8 approved by the United States food and drug administration.

9 ~~((i) [(9)])~~ (9) "Cannabis researcher" means a person licensed
10 by the board to produce, process, and possess cannabis for the
11 purposes of conducting research on cannabis and cannabis-derived drug
12 products.

13 ~~((j) [(10)])~~ (10) "Cannabis retailer" means a person licensed
14 by the board to sell cannabis concentrates, useable cannabis, and
15 cannabis-infused products in a retail outlet.

16 ~~((k) [(11)])~~ (11) "Cannabis-infused products" means products
17 that contain cannabis or cannabis extracts, are intended for human
18 use, are derived from cannabis as defined in subsection ~~((d) [(4)])~~
19 (4) of this section, and have a THC concentration no greater than
20 ~~((ten))~~ 10 percent. The term "cannabis-infused products" does not
21 include either useable cannabis or cannabis concentrates.

22 ~~((l) [(12)])~~ (12) "CBD concentration" has the meaning provided
23 in RCW 69.51A.010.

24 ~~((m) [(13)])~~ (13) "CBD product" means any product containing or
25 consisting of cannabidiol.

26 ~~((n) [(14)])~~ (14) "Commission" means the pharmacy quality
27 assurance commission.

28 ~~((o) [(15)])~~ (15) "Controlled substance" means a drug,
29 substance, or immediate precursor included in Schedules I through V
30 as set forth in federal or state laws, or federal or commission
31 rules, but does not include hemp or industrial hemp as defined in RCW
32 15.140.020.

33 ~~((p) (1) [(16) (a)])~~ (16) (a) "Controlled substance analog" means
34 a substance the chemical structure of which is substantially similar
35 to the chemical structure of a controlled substance in Schedule I or
36 II and:

37 (i) that has a stimulant, depressant, or hallucinogenic effect on
38 the central nervous system substantially similar to the stimulant,
39 depressant, or hallucinogenic effect on the central nervous system of
40 a controlled substance included in Schedule I or II; or

1 (ii) with respect to a particular individual, that the individual
2 represents or intends to have a stimulant, depressant, or
3 hallucinogenic effect on the central nervous system substantially
4 similar to the stimulant, depressant, or hallucinogenic effect on the
5 central nervous system of a controlled substance included in Schedule
6 I or II.

7 (~~(2)~~ ~~[(b)]~~) (b) The term does not include:

8 (i) a controlled substance;

9 (ii) a substance for which there is an approved new drug
10 application;

11 (iii) a substance with respect to which an exemption is in effect
12 for investigational use by a particular person under Section 505 of
13 the federal food, drug, and cosmetic act, 21 U.S.C. Sec. 355, or
14 chapter 69.77 RCW to the extent conduct with respect to the substance
15 is pursuant to the exemption; or

16 (iv) any substance to the extent not intended for human
17 consumption before an exemption takes effect with respect to the
18 substance.

19 (~~(q)~~ ~~[(17)]~~) (17) "Deliver" or "delivery" means the actual or
20 constructive transfer from one person to another of a substance,
21 whether or not there is an agency relationship.

22 (~~(r)~~ ~~[(18)]~~) (18) "Department" means the department of health.

23 (~~(s)~~ ~~[(19)]~~) (19) "Designated provider" has the meaning
24 provided in RCW 69.51A.010.

25 (~~(t)~~ ~~[(20)]~~) (20) "Dispense" means the interpretation of a
26 prescription or order for a controlled substance and, pursuant to
27 that prescription or order, the proper selection, measuring,
28 compounding, labeling, or packaging necessary to prepare that
29 prescription or order for delivery.

30 (~~(u)~~ ~~[(21)]~~) (21) "Dispenser" means a practitioner who
31 dispenses.

32 (~~(v)~~ ~~[(22)]~~) (22) "Distribute" means to deliver other than by
33 administering or dispensing a controlled substance.

34 (~~(w)~~ ~~[(23)]~~) (23) "Distributor" means a person who distributes.

35 (~~(x)~~ ~~[(24)]~~) (24) "Drug" means (~~(1)~~ ~~[(a)]~~) (a) a controlled
36 substance recognized as a drug in the official United States
37 pharmacopoeia/national formulary or the official homeopathic
38 pharmacopoeia of the United States, or any supplement to them; (~~(2)~~
39 ~~[(b)]~~) (b) controlled substances intended for use in the diagnosis,
40 cure, mitigation, treatment, or prevention of disease in individuals

1 or animals; ~~((3) [(e)])~~ (c) controlled substances (other than food)
2 intended to affect the structure or any function of the body of
3 individuals or animals; and ~~((4) [(d)])~~ (d) controlled substances
4 intended for use as a component of any article specified in ~~((1),~~
5 ~~(2), or (3) [(a), (b), or (e)])~~ (a), (b), or (c) of this subsection.
6 The term does not include devices or their components, parts, or
7 accessories.

8 ~~((y) [(25)])~~ (25) "Drug enforcement administration" means the
9 drug enforcement administration in the United States Department of
10 Justice, or its successor agency.

11 ~~((z) [(26)])~~ (26) "Electronic communication of prescription
12 information" means the transmission of a prescription or refill
13 authorization for a drug of a practitioner using computer systems.
14 The term does not include a prescription or refill authorization
15 verbally transmitted by telephone nor a facsimile manually signed by
16 the practitioner.

17 ~~((aa) [(27)])~~ (27) "Immature plant or clone" means a plant or
18 clone that has no flowers, is less than ~~((twelve))~~ 12 inches in
19 height, and is less than twelve inches in diameter.

20 ~~((bb) [(28)])~~ (28) "Immediate precursor" means a substance:

21 ~~((1) [(a)])~~ (a) that the commission has found to be and by rule
22 designates as being the principal compound commonly used, or produced
23 primarily for use, in the manufacture of a controlled substance;

24 ~~((2) [(b)])~~ (b) that is an immediate chemical intermediary used
25 or likely to be used in the manufacture of a controlled substance;
26 and

27 ~~((3) [(e)])~~ (c) the control of which is necessary to prevent,
28 curtail, or limit the manufacture of the controlled substance.

29 ~~((ee) [(29)])~~ (29) "Isomer" means an optical isomer, but in
30 subsection ~~((gg) (5) [(33) (e)])~~ (33) (e) of this section, RCW
31 69.50.204 ~~((a) (12) and (34) [(1) (1) and (hh)])~~ (1) (1) and (hh),
32 and 69.50.206 ~~((b) (4) [(2) (d)])~~ (2) (d), the term includes any
33 geometrical isomer; in RCW 69.50.204 ~~((a) (8) and (42) [(1) (h) and~~
34 ~~(pp)])~~ (1) (h) and (pp), and 69.50.210 ~~((e) [(3)])~~ (3) the term
35 includes any positional isomer; and in RCW 69.50.204 ~~((a) (35)~~
36 ~~[(1) (ii)])~~ (1) (ii), 69.50.204 ~~((e) [(3)])~~ (3), and 69.50.208 ~~((a)~~
37 ~~[(1)])~~ (1) the term includes any positional or geometric isomer.

38 ~~((dd) [(30)])~~ (30) "Lot" means a definite quantity of cannabis,
39 cannabis concentrates, useable cannabis, or cannabis-infused product
40 identified by a lot number, every portion or package of which is

1 uniform within recognized tolerances for the factors that appear in
2 the labeling.

3 ~~((ee) [(31)])~~ (31) "Lot number" must identify the licensee by
4 business or trade name and Washington state unified business
5 identifier number, and the date of harvest or processing for each lot
6 of cannabis, cannabis concentrates, useable cannabis, or cannabis-
7 infused product.

8 ~~((ff) [(32)])~~ (32) "Manufacture" means the production,
9 preparation, propagation, compounding, conversion, or processing of a
10 controlled substance, either directly or indirectly or by extraction
11 from substances of natural origin, or independently by means of
12 chemical synthesis, or by a combination of extraction and chemical
13 synthesis, and includes any packaging or repackaging of the substance
14 or labeling or relabeling of its container. The term does not include
15 the preparation, compounding, packaging, repackaging, labeling, or
16 relabeling of a controlled substance:

17 ~~((1) [(a)])~~ (a) by a practitioner as an incident to the
18 practitioner's administering or dispensing of a controlled substance
19 in the course of the practitioner's professional practice; or

20 ~~((2) [(b)])~~ (b) by a practitioner, or by the practitioner's
21 authorized agent under the practitioner's supervision, for the
22 purpose of, or as an incident to, research, teaching, or chemical
23 analysis and not for sale.

24 ~~((gg) [(33)])~~ (33) "Narcotic drug" means any of the following,
25 whether produced directly or indirectly by extraction from substances
26 of vegetable origin, or independently by means of chemical synthesis,
27 or by a combination of extraction and chemical synthesis:

28 ~~((1) [(a)])~~ (a) Opium, opium derivative, and any derivative of
29 opium or opium derivative, including their salts, isomers, and salts
30 of isomers, whenever the existence of the salts, isomers, and salts
31 of isomers is possible within the specific chemical designation. The
32 term does not include the isoquinoline alkaloids of opium.

33 ~~((2) [(b)])~~ (b) Synthetic opiate and any derivative of
34 synthetic opiate, including their isomers, esters, ethers, salts, and
35 salts of isomers, esters, and ethers, whenever the existence of the
36 isomers, esters, ethers, and salts is possible within the specific
37 chemical designation.

38 ~~((3) [(c)])~~ (c) Poppy straw and concentrate of poppy straw.

1 (~~((4))~~ ~~[(d)]~~) (d) Coca leaves, except coca leaves and extracts of
2 coca leaves from which cocaine, ecgonine, and derivatives or ecgonine
3 or their salts have been removed.

4 (~~((5))~~ ~~[(e)]~~) (e) Cocaine, or any salt, isomer, or salt of isomer
5 thereof.

6 (~~((6))~~ ~~[(f)]~~) (f) Cocaine base.

7 (~~((7))~~ ~~[(g)]~~) (g) Ecgonine, or any derivative, salt, isomer, or
8 salt of isomer thereof.

9 (~~((8))~~ ~~[(h)]~~) (h) Any compound, mixture, or preparation
10 containing any quantity of any substance referred to in (~~((1))~~ ~~[(a)]~~)
11 (a) through (~~((7))~~ ~~[(g)]~~) (g) of this subsection.

12 (~~((hh))~~ ~~[(34)]~~) (34) "Opiate" means any substance having an
13 addiction-forming or addiction-sustaining liability similar to
14 morphine or being capable of conversion into a drug having addiction-
15 forming or addiction-sustaining liability. The term includes opium,
16 substances derived from opium (opium derivatives), and synthetic
17 opiates. The term does not include, unless specifically designated as
18 controlled under RCW 69.50.201, the dextrorotatory isomer of 3-
19 methoxy-n-methylmorphinan and its salts (dextromethorphan). The term
20 includes the racemic and levorotatory forms of dextromethorphan.

21 (~~((ii))~~ ~~[(35)]~~) (35) "Opium poppy" means the plant of the species
22 *Papaver somniferum* L., except its seeds.

23 (~~((jj))~~ ~~[(36)]~~) (36) "Package" means a container that has a
24 single unit or group of units.

25 (~~((kk))~~ ~~[(37)]~~) (37) "Person" means individual, corporation,
26 business trust, estate, trust, partnership, association, joint
27 venture, government, governmental subdivision or agency, or any other
28 legal or commercial entity.

29 (~~((ll))~~ ~~[(38)]~~) (38) "Plant" has the meaning provided in RCW
30 69.51A.010.

31 (~~((mm))~~ ~~[(39)]~~) (39) "Poppy straw" means all parts, except the
32 seeds, of the opium poppy, after mowing.

33 (~~((nn))~~ ~~[(40)]~~) (40) "Practitioner" means:

34 (~~((1))~~ ~~[(a)]~~) (a) A physician under chapter 18.71 RCW; a
35 physician assistant under chapter 18.71A RCW; an osteopathic
36 physician and surgeon under chapter 18.57 RCW; an optometrist
37 licensed under chapter 18.53 RCW who is certified by the optometry
38 board under RCW 18.53.010 subject to any limitations in RCW
39 18.53.010; a dentist under chapter 18.32 RCW; a podiatric physician
40 and surgeon under chapter 18.22 RCW; a veterinarian under chapter

1 18.92 RCW; a registered nurse, advanced registered nurse
2 practitioner, or licensed practical nurse under chapter 18.79 RCW; a
3 naturopathic physician under chapter 18.36A RCW who is licensed under
4 RCW 18.36A.030 subject to any limitations in RCW 18.36A.040; a
5 psychologist under chapter 18.83 RCW who is certified as a
6 prescribing psychologist under section 3 of this act; a pharmacist
7 under chapter 18.64 RCW or a scientific investigator under this
8 chapter, licensed, registered or otherwise permitted insofar as is
9 consistent with those licensing laws to distribute, dispense, conduct
10 research with respect to or administer a controlled substance in the
11 course of their professional practice or research in this state.

12 ~~((2) [(b)])~~ (b) A pharmacy, hospital or other institution
13 licensed, registered, or otherwise permitted to distribute, dispense,
14 conduct research with respect to or to administer a controlled
15 substance in the course of professional practice or research in this
16 state.

17 ~~((3) [(e)])~~ (c) A physician licensed to practice medicine and
18 surgery, a physician licensed to practice osteopathic medicine and
19 surgery, a dentist licensed to practice dentistry, a podiatric
20 physician and surgeon licensed to practice podiatric medicine and
21 surgery, a licensed physician assistant or a licensed osteopathic
22 physician assistant specifically approved to prescribe controlled
23 substances by his or her state's medical commission or equivalent and
24 his or her supervising physician, an advanced registered nurse
25 practitioner licensed to prescribe controlled substances, or a
26 veterinarian licensed to practice veterinary medicine in any state of
27 the United States.

28 ~~((40) [(41)])~~ (41) "Prescription" means an order for controlled
29 substances issued by a practitioner duly authorized by law or rule in
30 the state of Washington to prescribe controlled substances within the
31 scope of his or her professional practice for a legitimate medical
32 purpose.

33 ~~((42) [(42)])~~ (42) "Production" includes the manufacturing,
34 planting, cultivating, growing, or harvesting of a controlled
35 substance.

36 ~~((43) [(43)])~~ (43) "Qualifying patient" has the meaning
37 provided in RCW 69.51A.010.

38 ~~((44) [(44)])~~ (44) "Recognition card" has the meaning provided
39 in RCW 69.51A.010.

1 (~~(ss)~~[(45)]) (45) "Retail outlet" means a location licensed by
2 the board for the retail sale of cannabis concentrates, useable
3 cannabis, and cannabis-infused products.

4 (~~(tt)~~[(46)]) (46) "Secretary" means the secretary of health or
5 the secretary's designee.

6 (~~(uu)~~[(47)]) (47) "Social equity plan" means a plan that
7 addresses at least some of the elements outlined in this subsection
8 (~~(uu)~~[(47)]) (47), along with any additional plan components or
9 requirements approved by the board following consultation with the
10 task force created in RCW 69.50.336. The plan may include:

11 (~~(1)~~[(a)]) (a) A statement that indicates how the cannabis
12 licensee will work to promote social equity goals in their community;

13 (~~(2)~~[(b)]) (b) A description of how the cannabis licensee will
14 meet social equity goals as defined in RCW 69.50.335;

15 (~~(3)~~[(c)]) (c) The composition of the workforce the licensee
16 has employed or intends to hire; and

17 (~~(4)~~[(d)]) (d) Business plans involving partnerships or
18 assistance to organizations or residents with connections to
19 populations with a history of high rates of enforcement of cannabis
20 prohibition.

21 (~~(vv)~~[(48)]) (48) "State," unless the context otherwise
22 requires, means a state of the United States, the District of
23 Columbia, the Commonwealth of Puerto Rico, or a territory or insular
24 possession subject to the jurisdiction of the United States.

25 (~~(ww)~~[(49)]) (49) "THC concentration" means percent of
26 tetrahydrocannabinol content of any part of the plant *Cannabis*, or
27 per volume or weight of cannabis product, or the combined percent of
28 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of
29 the plant *Cannabis* regardless of moisture content.

30 (~~(xx)~~[(50)]) (50) "Ultimate user" means an individual who
31 lawfully possesses a controlled substance for the individual's own
32 use or for the use of a member of the individual's household or for
33 administering to an animal owned by the individual or by a member of
34 the individual's household.

35 (~~(yy)~~[(51)]) (51) "Unit" means an individual consumable item
36 within a package of one or more consumable items in solid, liquid,
37 gas, or any form intended for human consumption.

38 (~~(zz)~~[(52)]) (52) "Useable cannabis" means dried cannabis
39 flowers. The term "useable cannabis" does not include either
40 cannabis-infused products or cannabis concentrates.

1 (~~(aaa)-(53)~~) (53) "Youth access" means the level of interest
2 persons under the age of (~~twenty-one~~) 21 may have in a vapor
3 product, as well as the degree to which the product is available or
4 appealing to such persons, and the likelihood of initiation, use, or
5 addiction by adolescents and young adults.

--- **END** ---