



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Health- Pharmacy Quality Assurance Commission

- Preproposal Statement of Inquiry was filed as WSR 15-17-077 ; or
- Expedited Rule Making--Proposed notice was filed as WSR _ ; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- Original Notice
- Supplemental Notice to WSR
- Continuance of WSR

Title of rule and other identifying information: (Describe Subject)

WAC 246-887-040--Designation of nonnarcotic stimulant drugs for purposes of RCW 69.50.402(1)(c) and WAC 246-887-045-- Prescribing, dispensing, or administering of Schedule II nonnarcotic stimulants. Proposing adding Lisdexamfetamine to the list of Schedule II nonnarcotic stimulants for purposes of RCW 69.50.402(1)(c) and adding binge eating disorder (BED) in adults to the list of disease states or conditions for which Schedule II nonnarcotics can be prescribed, dispensed, or administered.

Hearing location(s): Highline Community College
Mt. Constance Conference Room
2400 South 240th Street
Des Moines, WA 98198

Date: 3/3/16 Time: 9:30 AM

Submit written comments to:

Name: Doreen Beebe
Address: Pharmacy Quality Assurance Commission
PO Box 47852
Olympia WA 98504

e-mail: <http://www3.doh.wa.gov/policyreview/>
fax 360.236.2260 by (date) 02/29/2016

Assistance for persons with disabilities: Contact

Doreen Beebe by 02/24/2016

TTY (800) 833-6388 or () 711

Date of intended adoption: 03/03/2016

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

WAC 246-887-040 and -045--The Pharmacy Quality Assurance Commission (commission) is proposing to add Lisdexamfetamine (also known by the brand name Vyvanse) to the list of Schedule II nonnarcotic stimulants for purposes of RCW 69.50.402(1)(c). The commission is also proposing to add BED in adults to the list of disease states or conditions for which Schedule II nonnarcotic stimulants can be prescribed, dispensed, or administered for those specific Schedule II nonnarcotic stimulants that have been specifically approved by the FDA for such disease state or condition. By adding Lisdexamfetamine to the list of designated nonnarcotic stimulants and BED to the list of approved disease states or conditions, practitioners will be able to use Lisdexamfetamine to treat BED in adults.

Reasons supporting proposal:

RCW 69.50.402(1)(c)(ii) restricts the use of Schedule II nonnarcotic stimulants to only those disease states or conditions listed in statute. It also states that the commission, in consultation with the medical quality assurance commission and the board of osteopathic medicine and surgery, may designate additional disease states and conditions for which practitioners may prescribe Schedule II nonnarcotic stimulants. Thus, to allow practitioners to prescribe Lisdexamfetamine, the commission must add Lisdexamfetamine and BED in adults to the rules.

Statutory authority for adoption:

RCW 18.64.005 and 69.50.402

Statute being implemented:

RCW 69.50.402

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: December 28, 2015

TIME: 11:46 AM

WSR 16-02-016

DATE 12/23/2015

NAME (type or print)

Albert Linggi, R.Ph.

TITLE

Chair, Pharmacy Quality Assurance Commission

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None.

Name of proponent: (person or organization) Washington State Pharmacy Quality Assurance Commission Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Doreen Beebe	111 Israel Rd SE, Tumwater, WA 98504-7852	360.236.4834
Implementation.... Lisa Hodgson	111 Israel Rd SE, Tumwater, WA 98504-7852	360-236-2927
Enforcement..... Lisa Hodgson	111 Israel Rd SE, Tumwater, WA 98504-7852	360-236-2927

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

No. Explain why no statement was prepared.

A small business economic impact statement was not prepared. The proposed rule would not impose more than minor costs on businesses in an industry.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: Doreen Beebe

Address: Pharmacy Quality Assurance Commission

PO Box 47852

Olympia WA 98504

phone 360.236.4834

fax 360.236.2260

e-mail doreen.beebe@doh.wa.gov

No: Please explain: