

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2116 HB	<b>Title:</b> Pharmacist prescriptive auth	<b>Agency:</b> 303-Department of Health
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.3	0.2	1.1	0.3
<b>Account</b>					
Health Professions Account-State 02G-1	0	54,000	54,000	298,000	132,000
<b>Total \$</b>	0	54,000	54,000	298,000	132,000

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

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## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

This bill aims to expand prescriptive authority for pharmacists.

Section 1: Amends RCW 18.64.011 (Definitions) to include the prescribing and ordering of drugs and devices as authorized by the Pharmacy Quality Assurance Commission (Commission) in the definition of the practice of pharmacy.

Section 2: Adds a new chapter to RCW 18.64 (Pharmacists) to require the commission to adopt rules identifying the guidelines for pharmacist prescriptive authority no later than July 1, 2026.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

Current law RCW 43.70.250 (License fees for professions, occupations, and businesses) requires the department to charge a fee to generate sufficient revenue to fully support the costs of administering its pharmacy licensing activities. The department does not anticipate the need to increase licensing fees to support the changes proposed in this bill. The department will monitor all program fund balances and adjust fees over a six (6) year period to ensure that fees are sufficient to cover all program expenditures.

As of July 1, 2023, the pharmacy commission has a sufficient fund balance of roughly \$5,900,000 therefore the department does not anticipate raising fees to cover the costs to implement this bill.

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

#### Rulemaking

Section 1 and 2: The commission will develop and adopt rules to grant licensed pharmacists' prescriptive authority. The commission anticipates utilizing a team of subject matter experts to implement this bill. This team will consist of the program manager and a community engagement specialist to identify underreached communities and engage them in the rulemaking process. Based on the commission experience with rules, the commission anticipates rulemaking to be complex. Complex rulemaking will require a rules project coordinator to support subject matter experts and ensure timely completion of rulemaking. This rule package is extended to identify specific groups who have previously had access barrier to engagement with the commission as well as giving the commission the ability to expand community engagement and conduct additional workshops and listening sessions. This process will include six meetings with interested parties as well as one formal rules hearing, all held virtually, and will take approximately 18 months to complete. The commission anticipates providing the rules hearing announcement and materials in both English and Spanish and providing ASL and Spanish interpretation services at the rules hearing.

Costs include staff, associated expenses (including goods and services, travel, intra-agency, and indirect charges), and Office of Attorney General support in the amount of \$9,000.

FY 2025 costs will be 0.3 FTE and \$54,000

FY 2026 costs will be 0.2 FTE and \$29,000

Office of Investigative and Legal Services

Section 1 and 2: Based on the Department of Health’s (department) experience with other similar expansions of scope and the population of licensed pharmacists, the department is estimating 60 additional complaints in year one and 30 additional complaints in year two and ongoing.

The complaint response process includes five steps: 1) intake, 2) assessment, 3) investigation, 4) case disposition, and 5) adjudication. Staff review the complaint, identify the history of the person complained about, and help assess whether an investigation is needed. In more than half the cases, investigation is needed. The investigator obtains information about the complaint and the respondent and prepares a report detailing the findings. After investigation, the disciplining authority decides whether to pursue legal action. Staff attorneys, paralegals, and other staff work to develop the legal documents and charge the violation. Most cases are settled, and the staff attorney manages that process. If the respondent asks for a hearing, staff must schedule the hearing, and the health law judge considers all legal motions, presides over the hearing, and drafts the final order.

Assuming the above, cost estimates for the complaint response process associated with this bill were calculated using the department’s Disciplinary Workload Staffing Model.

FY 2026 costs will be 0.8 FTE and \$118,000  
 FY 2027 costs will be 1.1 FTE and \$151,000  
 FY 2028 and ongoing costs will be 0.3 FTE and \$66,000

**TOTAL COST TO IMPLEMENT THIS BILL:**

FY 2025: 0.3 FTE and \$54,000  
 FY 2026: 1.0 FTE and \$147,000  
 FY 2027: 1.1 FTE and \$151,000  
 FY 2028 and ongoing: 0.3 FTE and \$66,000

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
02G-1	Health Professions Account	State	0	54,000	54,000	298,000	132,000
<b>Total \$</b>			0	54,000	54,000	298,000	132,000

**III. B - Expenditures by Object Or Purpose**

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.3	0.2	1.1	0.3
A-Salaries and Wages		25,000	25,000	160,000	56,000
B-Employee Benefits		9,000	9,000	61,000	20,000
C-Professional Service Contracts				1,000	
E-Goods and Other Services		17,000	17,000	61,000	50,000
T-Intra-Agency Reimbursements		3,000	3,000	15,000	6,000
9-					
<b>Total \$</b>		0	54,000	298,000	132,000

**III. C - Operating FTE Detail:** *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Fiscal Analyst 2	53,000				0.2	
HEALTH CARE INVESTIGATOR 3	82,056				0.2	0.1
HEALTH SERVICES CONSULTANT 1	58,104				0.2	0.1
HEALTH SERVICES CONSULTANT 3	78,120				0.1	
Health Svcs Conslt 1	53,000				0.1	
HEARINGS EXAMINER 3	100,008				0.2	0.1
MANAGEMENT ANALYST 3	74,376		0.2	0.1	0.1	
MANAGEMENT ANALYST 4	86,208		0.1	0.1	0.1	
<b>Total FTEs</b>			0.3	0.2	1.1	0.3

**III. D - Expenditures By Program (optional)**

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

Section 1 and 2: The commission will adopt rules in Title 246-945 (Pharmacy Quality Assurance Commission) as necessary to implement this bill.