

SENATE BILL REPORT

ESHB 1158

AS REPORTED BY COMMITTEE ON CHILDREN & FAMILY SERVICES,
APRIL 4, 1991

Brief Description: Providing for minors incapacitated by alcohol and other drugs.

SPONSORS: House Committee on Human Services (originally sponsored by Representatives Brekke, Winsley, Leonard, Rayburn, Inslee, Rasmussen, O'Brien, Fuhrman, Hargrove, Riley, R. Johnson, Franklin, Scott, Haugen, Edmondson, Phillips, Bowman, G. Fisher, Sprenkle and Orr).

HOUSE COMMITTEE ON HUMAN SERVICES

HOUSE COMMITTEE ON APPROPRIATIONS

SENATE COMMITTEE ON CHILDREN & FAMILY SERVICES

Majority Report: Do pass as amended.

Signed by Senators Roach, Chairman; L. Smith, Vice Chairman; Craswell, Stratton, and Talmadge.

Staff: Jan Sharar (786-7747)

Hearing Dates: April 2, 1991; April 4, 1991

BACKGROUND:

A minor 14 years of age or older may voluntarily apply for and receive treatment for alcoholism or drug addiction directly from a treatment program approved by the Department of Social and Health Services.

A minor who is incapacitated or gravely disabled by alcohol or other drugs, and who threatens or inflicts physical harm in a public place may be taken into protective custody for up to 72 hours for detoxification.

A minor incapacitated by alcoholism may be involuntarily committed through the judicial process for treatment for up to 60 days, and for a further period of 90 days.

However, involuntary commitment for the treatment of a minor incapacitated by drugs is not authorized by law.

The sale of cigarettes to a minor is unlawful and punishable as a misdemeanor.

SUMMARY:

Minors incapacitated by alcoholism and/or other drug addiction, may be involuntarily committed for treatment under the processes provided by law. Parental consent for involuntary alcohol and drug treatment is not required.

Minors admitted to a facility for treatment may be referred to a chemical dependency treatment facility if determined necessary by a mental health treatment specialist and physician.

The Department of Social and Health Services is not required to build additional facilities nor is its authority for the uses of existing programs and facilities authorized by law affected as a result of changes made.

The Board of Health is authorized to adopt rules to control the sale of tobacco products to minors.

Appropriation: none

Revenue: none

Fiscal Note: available

SUMMARY OF PROPOSED SENATE AMENDMENT:

The provision authorizing the Board of Health to promulgate rules to prohibit the sale of tobacco products to minors is removed.

TESTIMONY FOR:

The bill should attract more private vendors to treat minors with drug and alcohol addiction. The Board of Health's rulemaking authority is appropriate in this bill because nicotine is a drug. Treatment is an investment in preventive health.

TESTIMONY AGAINST:

Board of Health amendment does not belong on this bill. The board or Department of Health should prescribe more severe penalties for breaking laws regarding tobacco and minors.

TESTIFIED: FOR: Representative Brekke; Representative Braddock; Representative Moyer; Ken Stark, DSHS; Ward Hines, Beverly Lingle, Board of Health; Linda Grant, Association of Alcoholism Programs; Curt Tabaka; Daniel Terrell; Kristine Gebbie, Department of Health; Jeff Mero, Washington Hospital Association; Marybeth O'Connor, Group Health and Washington Nurses Association; Len Eddinger, Washington Medical Association; Gary Tollefson, Washington State PTA; Pete Youngers, Jay West, New Beginnings; Willa Fishernad, Washington Association of Public Health Officials; CON: Kathleen Durkan, Gary Oxley, Southland Corp.; Bill Fritz,

Tobacco Institute; Stu Halsan, Carl Nelson, Washington Retail
Association