

# HOUSE BILL REPORT

## HB 2452

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### As Reported By House Committee On:

Health Care

**Title:** An act relating to defining medication assistance in community-based settings.

**Brief Description:** Defining medication assistance in community-based settings.

**Sponsors:** Representatives Backlund, Cody, Parlette, Kastama, DeBolt, Dyer, Lambert, Koster, Sherstad, Benson, Anderson and Zellinsky.

### Brief History:

#### Committee Activity:

Health Care: 1/29/98, 2/3/98 [DPS].

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### HOUSE COMMITTEE ON HEALTH CARE

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Dyer, Chairman; Backlund, Vice Chairman; Skinner, Vice Chairman; Cody, Ranking Minority Member; Murray, Assistant Ranking Minority Member; Anderson; Conway; Parlette; Sherstad; Wood and Zellinsky.

**Staff:** John Welsh (786-7133).

**Background:** Currently, only practitioners with prescriptive authority specified by law may administer prescription or legend drugs. These include physicians, osteopathic physicians, physician assistants, dentists, podiatrists, veterinarians, and to a limited extent advanced registered nurse practitioners, optometrists and naturopaths. Administration of legend drugs includes the direct application of a legend drug by injection, inhalation, ingestion or other means, to the body of a patient.

Patients may also administer their own legend drugs in consultation with the practitioner. But a physical or mental limitation may prevent them from self-administering their drugs and they may require some mechanical assistance. There is no consistent definition in law for medication assistance, the act of assisting a patient to self-administer their own medications by a person other than a practitioner. Residents of boarding homes may receive medication assistance, and residents of adult family homes use enablers for facilitating the self-administration of their medications. Medication assistance can take

different forms such as opening containers for the resident, or handing the container or medication to the resident.

**Summary of Substitute Bill:** There is a legislative statement that individuals residing in community-based settings, such as adult family homes, boarding homes and residential care settings for the developmentally disabled, including an individual's own home, might need medication assistance due to a physical or mental limitation that prevents them from self-administering their legend drugs. The right of an individual to refuse medications and the requirements for informed consent are not affected.

Medication assistance is defined in the Legend Drug Act as assistance rendered by a nonpractitioner to an individual residing in a community-based setting to facilitate the individual to self-administer a legend drug or controlled substance, where a practitioner has determined, in consultation with the individual, that medication assistance is appropriate. It includes reminding the individual, placing the medication in the individual's hand or other means defined by rule. Medication assistance does not include intravenous medications or injectable medications.

**Substitute Bill Compared to Original Bill:** Technical amendments were made. Medication assistance does not include intravenous medications or injectable medications.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Substitute Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** There is a need to help patients take their medicines, and the law should be clarified to permit non-practitioners to assist with simple manual tasks.

**Testimony Against:** None.

**Testified:** Patty Hayes, Department of Health (pro); Kathy Leitch and Rick Bacon, Department of Social and Health Services; and Ellie Menzies, SEIU #1199 (concerns).