SENATE BILL REPORT

SB 6568

As Reported By Senate Committee On:
Environmental Quality & Water Resources, February 4, 2000

Title: An act relating to requiring the treatment of biomedical waste cultures prior to disposal.

Brief Description: Requiring the treatment of biomedical waste cultures prior to disposal.

Sponsors: Senators Swecker, Hale, Rasmussen, Oke and Morton.

Brief History:
Committee Activity: Environmental Quality & Water Resources: 2/1/2000, 2/4/2000 [DPS].

SENATE COMMITTEE ON ENVIRONMENTAL QUALITY & WATER RESOURCES

Majority Report: That Substitute Senate Bill No. 6568 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fraser, Chair; Eide, Vice Chair; Honeyford, Jacobsen, McAuliffe, Morton and Swecker.

Staff: Richard Ramsey (786-7412)

Background: Biomedical waste is regulated as solid waste and no treatment prior to disposal is required. Related to biomedical waste, treatment means rendering the waste so as to minimize the risk of transmitting infection. Biomedical waste includes animal waste, waste contaminated with blood or excretions from humans or animals who are isolated to protect others from highly communicable infectious disease, cultures and stocks, human blood and blood products, pathological waste, and sharps.

In 1998, the Senate Agriculture and Environment Committee conducted an inquiry into biomedical waste regulation in Washington. The inquiry was in response to a tuberculosis exposure of employees at a biomedical waste treatment facility in Morton. The committee's report recommended that cultures and stocks be treated prior to disposal.

The Centers for Disease Control and Prevention (CDC) prescribe laboratory practices for handling infectious agents, "Biosafety in Microbiological and Biomedical Laboratories." For the most dangerous agents, these practices include, for example, enclosed equipment, controlled access to facilities, specialized ventilation systems and full body, positive pressure suits.

Current law defines cultures and stocks as wastes infectious to humans. These wastes may contain high concentrations of pathogenic organisms, some of which are highly contagious and dangerous.

Summary of Substitute Bill: Generators of cultures containing microorganisms that may be transmitted to humans via airborne droplet nuclei are required to treat those cultures before transport from the facility.

Biomedical waste treatment facilities are prohibited from accepting cultures containing microorganisms that may be transmitted to humans via airborne droplet nuclei unless those cultures have been treated by the generator.

A number of changes are made to the definitions relating to biomedical waste, including: (1) deleting "stocks" from "cultures and stocks" because "stocks" are a subset of "cultures;" (2) deleting the definition of "biosafety level 4 disease waste;" and (3) deleting the requirement that "sharps waste containers" be "red."

Substitute Bill Compared to Original Bill: The definition of "airborne droplet nuclei" is added. No change is made to the existing law definition of "pathological waste." The definition of treatment is changed to substantially eliminate the risk of transmission; acceptable treatments are not specified. The definitions of biosafety level 3 and 4 practices are deleted. Generators of cultures containing microorganisms that may be transmitted to humans via airborne droplet nuclei are required to treat those cultures before transport from the facility. Biomedical waste treatment facilities are prohibited from accepting cultures containing microorganisms that may be transmitted to humans via airborne droplet nuclei unless those cultures have been treated by the generator.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Requiring the treatment of stocks and cultures was the most important recommendation of the Agriculture and Environment Committee’s inquiry on the regulation of biomedical waste.

Testimony Against: The bill should not specify incineration or any other treatment technology. Incineration cannot be considered as a long term approach. The bill is not necessary because OSHA and WSA require stringent standards for handling pathogens. Treatment should be required for pathologic cultures. Limiting treatment of cultures that are subject to biosafety levels 3 and 4 laboratory handling practices will not apply to most facilities. Tuberculosis can take a form that is subject to biosafety level 2 practices. All cultures should be treated at the site of generation.

Testified: Senator Dan Swecker, prime sponsor (pro); Jerry Smedes, Integrated Environmental Technology (pro with concerns); Robb Menaul, Washington State Hospital Association (con); Robin Olsen, Association of Practitioners in Infection Control (con); Dorothy Canavan, Dynacare Laboratories (con); Enid Layes, WA Biotechnology and Biomedical Association (concerns); Laurie Davies, Department of Ecology (con); Romesh Gautom, Department of Health (con); Michael Wood, Department of Labor and Industries (con).