
SENATE BILL 5082

State of Washington

56th Legislature

1999 Regular Session

By Senators Swecker and Rasmussen

Read first time 01/12/1999. Referred to Committee on Environmental Quality & Water Resources.

1 AN ACT Relating to microbial inactivation of biomedical waste;
2 amending RCW 70.95K.010 and 70.42.090; and adding a new section to
3 chapter 70.95K RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 70.95K.010 and 1994 c 165 s 2 are each amended to read
6 as follows:

7 Unless the context clearly requires otherwise, the definitions in
8 this section apply throughout this chapter.

9 (1) "Biomedical waste" means, and is limited to, the following
10 types of waste:

11 (a) "Animal waste" is waste animal carcasses, body parts, and
12 bedding of animals that are known to be infected with, or that have
13 been inoculated with, human pathogenic microorganisms infectious to
14 humans.

15 (b) "Biosafety level 4 disease waste" is waste contaminated with
16 blood, excretions, exudates, or secretions from humans or animals who
17 are isolated to protect others from highly communicable infectious
18 diseases that are identified as pathogenic organisms assigned to
19 biosafety level 4 by the centers for disease control, national

1 institute of health, biosafety in microbiological and biomedical
2 laboratories, current edition.

3 (c) "Cultures and stocks" are wastes infectious to humans and
4 includes specimen cultures, cultures and stocks of etiologic agents,
5 wastes from production of biologicals and serums, discarded live and
6 attenuated vaccines, and laboratory waste that has come into contact
7 with cultures and stocks of etiologic agents or blood specimens. Such
8 waste includes but is not limited to culture dishes, blood specimen
9 tubes, and devices used to transfer, inoculate, and mix cultures.

10 (d) "Human blood and blood products" is discarded waste human blood
11 and blood components, and materials containing free-flowing blood and
12 blood products.

13 (e) "Pathological waste" is waste human source biopsy materials,
14 tissues, and anatomical parts that emanate from surgery, obstetrical
15 procedures, and autopsy. "Pathological waste" does not include teeth,
16 human corpses, remains, and anatomical parts that are intended for
17 interment or cremation.

18 (f) "Sharps waste" is all hypodermic needles, syringes with needles
19 attached, IV tubing with needles attached, scalpel blades, and lancets
20 that have been removed from the original sterile package.

21 (2) "Local government" means city, town, or county.

22 (3) "Local health department" means the city, county, city-county,
23 or district public health department.

24 (4) "Person" means an individual, firm, corporation, association,
25 partnership, consortium, joint venture, commercial entity, state
26 government agency, or local government.

27 (5) "Treatment" means incineration, sterilization, or other method,
28 technique, or process that changes the character or composition of a
29 biomedical waste so as to minimize the risk of transmitting an
30 infectious disease.

31 (6) "Residential sharps waste" has the same meaning as "sharps
32 waste" in subsection (1) of this section except that the sharps waste
33 is generated and prepared for disposal at a residence, apartment,
34 dwelling, or other noncommercial habitat.

35 (7) "Sharps waste container" means a leak-proof, rigid, puncture-
36 resistant red container that is taped closed or tightly lidded to
37 prevent the loss of the residential sharps waste.

38 (8) "Mail programs" means those programs that provide sharps users
39 with a multiple barrier protection kit for the placement of a sharps

1 container and subsequent mailing of the wastes to an approved disposal
2 facility.

3 (9) "Pharmacy return programs" means those programs where sharps
4 containers are returned by the user to designated return sites located
5 at a pharmacy to be transported by a biomedical or solid waste
6 collection company approved by the utilities and transportation
7 commission.

8 (10) "Drop-off programs" means those program sites designated by
9 the solid waste planning jurisdiction where sharps users may dispose of
10 their sharps containers.

11 (11) "Source separation" has the same meaning as in RCW 70.95.030.

12 (12) "Unprotected sharps" means residential sharps waste that are
13 not disposed of in a sharps waste container.

14 (13) "Microbial inactivation" means inactivation of vegetative
15 bacteria, fungi, lipophilic/hydrophilic viruses, parasites, and
16 mycobacteria at a 6 log reduction or greater; and inactivation of *B.*
17 *stearothermophilus* spores or *Bacillus subtilis* spores at a 4 log
18 reduction or greater.

19 NEW SECTION. Sec. 2. A new section is added to chapter 70.95K RCW
20 to read as follows:

21 Beginning January 1, 2001, cultures and stocks that are infectious
22 to humans generated at microbiological laboratories shall be treated to
23 accomplish microbial inactivation before being transported from the
24 facility.

25 **Sec. 3.** RCW 70.42.090 and 1989 c 386 s 10 are each amended to read
26 as follows:

27 (1) The department shall establish a schedule of fees for license
28 applications, renewals, amendments, and waivers. In fixing said fees,
29 the department shall set the fees at a sufficient level to defray the
30 cost of administering the licensure program. All such fees shall be
31 fixed by rule adopted in accordance with the provisions of the
32 administrative procedure act, chapter 34.05 RCW. In determining the
33 fee schedule, the department shall consider the following: (a)
34 Complexity of the license required; (b) number and type of tests
35 performed at the test site; (c) degree of supervision required from the
36 department staff; (d) whether the license is granted under RCW
37 70.42.040; and (e) general administrative costs of the test site

1 licensing program established under this chapter. For each category of
2 license, fees charged shall be related to program costs.

3 (2) The medical test site licensure account is created in the state
4 treasury. The state treasurer shall transfer into the medical test
5 site licensure account all revenue received from medical test site
6 license fees. Funds for this account may only be appropriated for the
7 support of the activities defined under this chapter.

8 (3) The department may establish separate fees for repeat
9 inspections and repeat audits it performs under RCW 70.42.170.

10 (4) The department may adopt, by rule, a surcharge on the license
11 fee in this section for medical test sites licensed in microbiology to
12 generate twenty thousand dollars per biennium to administer section 2
13 of this act.

--- END ---