
SENATE BILL 6603

State of Washington 57th Legislature

2002 Regular Session

By Senators Kastama, Kline and Thibaudeau

Read first time 01/23/2002. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to hepatitis C; adding a new section to chapter
2 18.79 RCW; adding a new section to chapter 18.205 RCW; adding a new
3 chapter to Title 70 RCW; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** (1) The department of health shall develop
6 a state plan for prevention and treatment of hepatitis C. The plan
7 must include strategies for prevention and treatment of hepatitis C in
8 specific demographic groups that are disproportionately affected by
9 hepatitis C, including persons infected with HIV, veterans, racial or
10 ethnic minorities that suffer a higher incidence of hepatitis C, and
11 persons who engage in high risk behavior, such as intravenous drug use.

12 (2) In developing the plan, the department shall seek the input of:

13 (a) The public, including members of the public that have hepatitis
14 C;

15 (b) Each state agency that provides services to persons with
16 hepatitis C or the functions of which otherwise involve hepatitis C;

17 (c) Any advisory body that addresses issues related to hepatitis C;

18 (d) Public advocates concerned with issues related to hepatitis C;

19 and

1 (e) Providers of services to persons with hepatitis C.

2 (3) The department shall update the state plan developed under this
3 section biennially and shall, not later than October 1st of each even-
4 numbered year, file the state plan with the governor, lieutenant
5 governor, and speaker of the house of representatives.

6 NEW SECTION. **Sec. 2.** (1) The department shall develop a program
7 to heighten awareness and enhance knowledge and understanding of
8 hepatitis C. The department shall:

9 (a) Conduct a seroprevalence study to estimate the current and
10 future impact of hepatitis C on the state;

11 (b) Conduct health education, public awareness, and community
12 outreach activities to promote public awareness and knowledge about the
13 risk factors, the value of early detection, available screening
14 services, and the options available for the treatment of hepatitis C;

15 (c) Provide training to public health clinic staff regarding the
16 treatment, detection, and methods of transmission of hepatitis C;

17 (d) Identify to health care providers and employers the benefits of
18 disease awareness and prevention; and

19 (e) Develop a prevention program to reduce the risk of transmission
20 of hepatitis C.

21 (2) In developing the prevention program required by subsection
22 (1)(e) of this section, the department may forecast the economic and
23 clinical impacts of hepatitis C and the impact of hepatitis C on
24 quality of life. The department may develop the forecasts in
25 conjunction with an academic medical center or a nonprofit institution
26 with experience using disease management prospective modeling and
27 simulation techniques.

28 NEW SECTION. **Sec. 3.** (1) The department shall establish voluntary
29 hepatitis C testing programs to be performed at facilities providing
30 voluntary HIV testing under chapter 70.24 RCW to make confidential
31 counseling and testing available.

32 (2) The department may contract with public and private entities to
33 perform the testing as necessary according to local circumstances.

34 (3) The results of a test conducted by a testing program or
35 department program under this section may not be used for insurance
36 purposes, to screen or determine suitability for employment, or to
37 discharge a person from employment.

1 (4) A person who intentionally violates subsection (3) of this
2 section is liable to a person injured by the violation. The injured
3 person may bring a civil action for damages and may recover for each
4 violation from a person who violates subsection (3) of this section:

5 (a) The greater of one thousand dollars or actual damages; and

6 (b) Reasonable attorneys' fees.

7 (5) In addition to the remedies provided by subsection (4) of this
8 section, the person may bring an action to restrain a violation or
9 threatened violation of subsection (3) of this section.

10 NEW SECTION. **Sec. 4.** (1) The department shall develop and offer
11 a training course for persons providing hepatitis C counseling. The
12 training course must include information relating to the special needs
13 of persons with positive hepatitis C test results, including the
14 importance of early intervention and treatment and recognition of
15 psychosocial needs.

16 (2) The department shall maintain a registry of persons who
17 successfully complete the training course.

18 (3) The department may charge a fee for the course to persons other
19 than employees of entities receiving state or federal funds for
20 hepatitis C counseling and testing programs through a contract with the
21 department. The department shall set the fee in an amount necessary to
22 cover the costs of providing the course.

23 (4) The department may contract for the training of counselors.

24 NEW SECTION. **Sec. 5.** The secretary of health shall adopt rules
25 necessary to implement this chapter.

26 NEW SECTION. **Sec. 6.** A new section is added to chapter 18.79 RCW
27 to read as follows:

28 As part of the continuing competency requirements established by
29 the commission under RCW 18.79.010, a license holder shall participate
30 in not less than two hours of continuing education relating to
31 hepatitis C. This subsection applies only to a license holder who
32 renews a license on or after June 1, 2003. The commission shall
33 recognize, prepare, or administer a hepatitis C training component for
34 use in continuing education for license holders under this section.
35 The training component must provide information relating to the
36 prevention, assessment, and treatment of hepatitis C.

1 NEW SECTION. **Sec. 7.** A new section is added to chapter 18.205 RCW
2 to read as follows:

3 (1) The continuing competency requirements established by the
4 secretary under RCW 18.205.060 must include six hours of training
5 relating to hepatitis C during each two-year licensing period.

6 (2) The secretary shall recognize, prepare, or administer a
7 training component that satisfies the requirement of subsection (1) of
8 this section for use in continuing education for chemical dependency
9 professionals.

10 (3) The training component must address hepatitis C in the context
11 of chemical dependency counseling and must provide information relating
12 to the special needs of persons with positive test results, including
13 the importance of prevention, early intervention, and treatment and
14 recognition of psychosocial needs. The training component must prepare
15 a chemical dependency counselor to provide appropriate information to
16 educate clients about hepatitis C.

17 NEW SECTION. **Sec. 8.** Sections 1 through 5 of this act constitute
18 a new chapter in Title 70 RCW.

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