

# HOUSE BILL REPORT

## SSB 5039

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**As Passed House - Amended:**

April 23, 2003

**Title:** An act relating to hepatitis C.

**Brief Description:** Concerning hepatitis C.

**Sponsors:** By Senate Committee on Health & Long-Term Care (originally sponsored by Senators Kastama, Thibaudeau and Kohl-Welles).

**Brief History:**

**Committee Activity:**

Health Care: 3/20/03, 4/3/03 [DPA];

Appropriations: 4/5/03 [DPA(APP w/o HC)s].

**Floor Activity:**

Passed House - Amended: 4/11/03, 88-0.

Senate Refused to Concur.

Passed House - Amended: 4/23/03, 98-0.

**Brief Summary of Substitute Bill  
(As Amended by House)**

- Requires the Department of Health to design a state plan for the prevention and treatment of hepatitis C.
- Prohibits discrimination in employment against people with hepatitis C.
- Deems certain health care professionals who contract hepatitis C in the course of employment to be dislocated workers for purposes of commissioner approval of training benefits.

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### HOUSE COMMITTEE ON HEALTH CARE

**Majority Report:** Do pass as amended. Signed by 13 members: Representatives Cody, Chair; Morrell, Vice Chair; Pflug, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Alexander, Benson, Campbell, Clibborn, Darneille, Edwards, Moeller, Schual-Berke and Skinner.

**Staff:** Chris Blake (786-7392).

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass as amended by Committee on Appropriations and without amendment by Committee on Health Care. Signed by 27 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Sehlin, Ranking Minority Member; Pearson, Assistant Ranking Minority Member; Alexander, Boldt, Buck, Clements, Cody, Conway, Cox, DeBolt, Dunshee, Grant, Hunter, Kagi, Kenney, Kessler, Linville, McDonald, McIntire, Miloscia, Pflug, Ruderman, Schual-Berke, Sump and Talcott.

**Staff:** Amy Hanson (786-7118).

### **Background:**

All six types of hepatitis viruses cause the liver to become damaged and inflamed. Hepatitis C generally leads to cirrhosis, liver cancer, or liver failure. Hepatitis C is the leading reason for liver transplants in the United States. In 80 percent of infected persons, the virus does not cause any symptoms or signs when first transmitted and, because of this, many individuals are not aware that they are infected. In some cases it can take up to 30 years to develop symptoms. An infected person who is asymptomatic can still suffer liver damage and can pass the virus to others.

The hepatitis C virus is transmitted primarily through exposure to infected blood. Generally, exposure comes from injection drug use, blood transfusions prior to 1992, needles from tattooing or body piercing, or contact with blood in the workplace. While there are vaccines for hepatitis A and B, there are none available for hepatitis C.

Approximately four million people in the United States are infected with hepatitis C. About 100,000 of these cases are in Washington. Nationwide, hepatitis C is responsible for 8,000 to 10,000 deaths annually.

### **Summary of Amended Bill:**

The Department of Health (Department) must design a state plan for the prevention and management of hepatitis C by January 1, 2004. The Department must consider the recommendations of others including the University of Washington, the public, patient groups, other state agencies, local health departments, relevant health care associations, and providers and suppliers of services to people with hepatitis C.

The plan must include educational programs about hepatitis C for the public and health care providers; training courses for hepatitis C counselors and public health clinic staff; an assessment of capacity for voluntary hepatitis C testing; prevention and treatment strategies for groups at risk for hepatitis C; guidelines for health care professionals to prevent further transmission of hepatitis C; and a model for the prevention and management of hepatitis C.

The plan must be updated every two years and provided to the Governor and other interested parties. Money to fund plan development and implementation may only come from federal or private sources. No state money may be used for plan development. The Board of Health may adopt rules as required to implement the plan. Provisions regarding the plan expire June 30, 2007.

The hepatitis C virus is added to provisions regarding employment discrimination on the basis of infection with the human immunodeficiency virus (HIV). Except where it is a bona fide occupational qualification, an employer may not require a hepatitis C test prior to employment or take adverse action against an individual because of his or her hepatitis C status.

Health care professionals who contract hepatitis C in the course of their employment and are not able to continue working in their profession are deemed to be dislocated workers for the purpose of receiving commissioner approval of training benefits. Full-time health care professionals who contract hepatitis C are presumed to have contracted it on the job. The presumption may be rebutted by other evidence.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Amended Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** (Health Care) The number of cases of hepatitis C are on the rise in the United States and now is the best time to address this disease while it is still in its early stages. State expenditures for hepatitis C have doubled in the last three years to \$18 million and a model for treating hepatitis C and other diseases can save money in the future.

**Testimony For:** (Appropriations) None.

**Testimony Against:** (Health Care) None.

**Testimony Against:** (Appropriations) None.

**Testified:** (Health Care) Senator Kastama, prime sponsor; Victor Colman, Department of Health; Skip Dreps, Paralyzed Veterans of America; Michael Ninburg, Hepatitis Education Project; and Susie Tracy, Washington State Medical Association and Shering-Plough.

**Testified:** (Appropriations) None.