

---

**ENGROSSED SUBSTITUTE SENATE BILL 5594**

---

**State of Washington**

**62nd Legislature**

**2011 Regular Session**

**By** Senate Labor, Commerce & Consumer Protection (originally sponsored by Senators Kohl-Welles, Keiser, Prentice, Conway, Kline, and Murray)

READ FIRST TIME 02/14/11.

1        AN ACT Relating to handling of hazardous drugs; adding new sections  
2 to chapter 49.17 RCW; and creating a new section.

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

4        NEW SECTION.    **Sec. 1.** The legislature declares that health care  
5 personnel who work with or near hazardous drugs in health care settings  
6 may be exposed to these agents in the air, on work surfaces, clothing,  
7 and medical equipment or through patient contact. According to the  
8 national institute for occupational safety and health (NIOSH), early  
9 concerns about occupational exposure to antineoplastic drugs first  
10 appeared in the 1970s. Antineoplastic and other hazardous drugs may  
11 cause skin rashes, infertility, miscarriage, birth defects, and have  
12 been linked to a wide variety of cancers. The national institute for  
13 occupational safety and health published an alert on preventing  
14 occupational exposures to antineoplastic and other hazardous drugs in  
15 health care settings in 2004 with an update in 2010. In this alert,  
16 the institute "presents a standard precautions or universal precautions  
17 approach to handling hazardous drugs safely: that is, NIOSH recommends  
18 that all hazardous drugs be handled as outlined in this Alert." It is  
19 the intent of the legislature to require health care facilities to

1 follow rules requiring compliance with all aspects of the institute's  
2 alert regardless of the setting in order to protect health care  
3 personnel from hazardous exposure to such drugs.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 49.17 RCW  
5 to read as follows:

6 The definitions in this section apply throughout sections 1 through  
7 3 of this act unless the context clearly requires otherwise.

8 (1) "Antineoplastic drug" means a chemotherapeutic agent that  
9 controls or kills cancer cells.

10 (2) "Hazardous drugs" means any drug identified by the national  
11 institute for occupational safety and health at the centers for disease  
12 control or any drug that meets at least one of the following six  
13 criteria: Carcinogenicity, teratogenicity or developmental toxicity,  
14 reproductive toxicity in humans, organ toxicity at low doses in humans  
15 or animals, genotoxicity, or new drugs that mimic existing hazardous  
16 drugs in structure or toxicity.

17 NEW SECTION. **Sec. 3.** A new section is added to chapter 49.17 RCW  
18 to read as follows:

19 The director of labor and industries shall adopt by rule  
20 requirements for the handling of antineoplastic and other hazardous  
21 drugs in health care facilities regardless of the setting. Rule making  
22 under this section shall consider input from hospitals, organizations  
23 representing health care personnel, other stakeholders and shall  
24 consider reasonable time for facilities to implement new requirements.  
25 The rules will be consistent with and not exceed provisions adopted by  
26 the national institute for occupational safety and health's 2004 alert  
27 on preventing occupational exposures to antineoplastic and other  
28 hazardous drugs in health care settings as updated in 2010. The  
29 department's adoption of the rules may incorporate updates and changes  
30 to the institute's guidelines as made by the centers for disease  
31 control and prevention. Enforcement of these requirements will be  
32 according to all provisions in this chapter.

--- END ---