HOUSE BILL REPORT
HB 1593

As Reported by House Committee On:
Health Care & Wellness

Title: An act relating to providing access to the prescription drug monitoring database for clinical laboratories.

Brief Description: Providing access to the prescription drug monitoring database for clinical laboratories.

Sponsors: Representatives Jinkins, Angel, Kagi, Rodne, Cody, Clibborn, Riccelli, Moeller, Ryu, Pollet and Morrell.

Brief History:
Committee Activity:
Health Care & Wellness: 2/15/13 [DP].

Brief Summary of Bill

- Allows the Department of Health (Department) to provide data in the Prescription Monitoring Program to personnel of a test site that is engaged by agreement with a person authorized to prescribe and dispense drugs for medical care.
- Requires test sites authorized to receive access to data in the Prescription Monitoring Program to be licensed by the Department and certified by the Substance Abuse Mental Health Service Administration of the U.S. Department of Health and Human Services.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: Do pass. Signed by 15 members: Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel, Clibborn, Green, Harris, Manweller, Morrell, Riccelli, Ross, Short, Tharinger and Van De Wege.

Staff: Cherlyn Walden (786-7296).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Prescription Monitoring Program.
In 2007 the Department of Health (Department) was authorized to create a Prescription Monitoring Program. Practitioners and pharmacies that dispense Schedules II, III, IV, and V drugs are required to report information regarding each drug prescription, for more than one day use, identified as a Schedules II, III, IV, and V drugs to the Department. The program's purpose is to improve patient care and stop prescription drug misuse. This information is then made available to authorized persons, such as medical providers and pharmacists.

Test sites.
A test site is any facility or site, public or private, which analyzes materials derived from the human body for the purposes of health care, treatment, or screening. A test site must be licensed by the state for the tests it performs.

In addition, the U.S. Department of Health and Human Services (DHHS) certifies laboratories through the Substance Abuse Mental Health Services Administration. The DHHS notifies federal agencies of the laboratories and instrumented initial testing facilities (IITF) currently certified to meet the standards of the Mandatory Guidelines for Federal Workplace Drug Testing Programs. A notice listing all currently certified laboratories and IITFs is published in the Federal Register during the first week of each month. If any laboratory or IITF's certification is suspended or revoked, the laboratory or the IITF will be omitted from subsequent lists until such time as it is restored to full certification under the Mandatory Guidelines.

Summary of Bill:

The Department of Health (Department) may provide data in the Prescription Monitoring Program to personnel of a test site if:

- a person authorized to prescribe or dispense drugs engages the test site to provide assistance in determining which medications are being used by a patient under his or her care;
- the test site has a procedure to ensure that the privacy and confidentiality of patients and their information are not disclosed to unauthorized parties;
- the test site is licensed by the Department; and
- the test site is certified as a drug testing laboratory by the U.S. Department of Health and Human Services, Substance Abuse Mental Health Services Administration.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) The primary goal of the Prescription Monitoring Program (PMP) is to give health care providers tools for patient care and safety, and we believe this bill furthers that goal. This very narrow expansion of access to the PMP would allow certified labs, only under the authority of a physician, to have access to the PMP in order to provide a report for the physician. Currently there is only about 23 percent participation in the PMP. By allowing physicians to designate a lab to have access to the PMP, it is likely that participation in the PMP would increase and more lives could be saved by avoiding drug abuse and adverse drug reactions.

Labs are already entrusted with patient specimens and confidential medical information. This merely allows the certified labs to provide a PMP report with the urinalysis and drug tests they are already conducting, at no additional cost to the state, doctors, patients, or insurers. There are 7,000 licensed labs in the United States; and of those, there are only 35 Substance Abuse Mental Health Services Administration (SAMSA) certified labs, two of which are located in Washington. Only the labs that have met the stringent certification requirements of the SAMSA would have access to the PMP as a physician's designee. This access provides labs with exact data that would be very helpful in interpreting things for physicians who are reliant upon the information provided by labs.

(Opposed) None.

Persons Testifying: Karen Jensen, Department of Health; Evans Calas, Sterling Labs; and David Michaelsen, Pathology Associates Medical Laboratories.

Persons Signed In To Testify But Not Testifying: None.