SENATE BILL REPORT
HB 1593

As of March 21, 2013

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: Passed House: 3/04/13, 98-0.
Committee Activity: Health Care: 3/19/13.

SENATE COMMITTEE ON HEALTH CARE

Staff: Kathleen Buchli (786-7488)

Background: In 2007, the Department of Health (DOH) was authorized to establish and maintain a Prescription Monitoring Program to monitor the prescribing and dispensing of all Schedules II, III, IV, and V controlled substances. Information submitted for each prescription must include at least: a patient identifier, the drug dispensed, the date of dispensing, the quantity dispensed, the prescriber, and the dispenser. With certain exceptions, prescription information submitted to DOH is confidential. The exceptions allow DOH to provide data in the Prescription Monitoring Program to: persons authorized to prescribe or dispense controlled substances; an individual who requests the individual's own records; health professional licensing, certification, or regulatory agencies; law enforcement officials who are engaged in bona fide specific investigations involving a designated person; authorized practitioners of the Department of Social and Health Services and the Health Care Authority regarding Medicaid recipients; the Director of the Department of Labor and Industries regarding workers' compensation claimants; the Director of the Department of Corrections regarding committed offenders; entities under court order; and DOH personnel for the purposes of administering the program. Data may also be provided to public or private entities for statistical, research, or educational purposes after removing identifying information.

Test sites are facilities that analyze materials derived from the human body for the purposes of health care, treatment, or screening. Test sites are licensed by DOH and must meet quality

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control, quality assurance, recordkeeping, and personnel requirements established by DOH and federal law.

Summary of Bill: DOH may provide data in the Prescription Monitoring Program to personnel of a test site that is licensed by DOH as a test site and is certified as a drug testing laboratory. Information provided to a test site must be provided under an agreement between the test site and a practitioner or pharmacist to provide assistance in determining which medications are being used by an identified patient who is under the care of that person.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The Prescription Monitoring Program is a way for the state to address the number of deaths related to controlled substances, but many providers do not use it. Under this bill, a testing laboratory would have access to the Prescription Monitoring Program and would request information on behalf of the physician they are working with. The results will be returned to the physician and should increase use of the Prescription Monitoring Program. There are a limited number of labs who will have access to the database because the bill requires that they be certified as a drug testing laboratory by the United States Department of Health and Human Services. Current law does not require prescribers to use the Prescription Monitoring Program and this law would permit better use of the database. A lab that adds a Prescription Monitoring Program report to its test results will be adding value to the data provided to a prescriber. Information will remain confidential and will not be stored in the lab.

Persons Testifying: PRO: Representative Jinkins, prime sponsor; Evan Calas, Dr. Dan Baker, STERLING Reference Laboratories.