SENATE BILL REPORT
EHB 1593

As Reported by Senate Committee On:
Health Care, February 25, 2014

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; 2/03/14, 95-0.
Committee Activity: Health Care: 2/20/14, 2/25/14 [DP].

SENATE COMMITTEE ON HEALTH CARE

Majority Report: Do pass.
Signed by Senators Becker, Chair; Dammeier, Vice Chair; Pedersen, Ranking Member; Angel, Bailey, Cleveland, Keiser and Parlette.

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

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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 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 by the United States Department of Health and Human Services, Substance Abuse Mental Health Services Administration (HHS). 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.

Test sites may not store any data accessed from the Prescription Monitoring Program and may only access data under the supervision of the "responsible person" designated by HHS. Data from the Prescription Monitoring Program may only be transmitted to those entities permitted in statute and may only be collected, disclosed, sold, or used as provided in statute.

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: This bill will result in better and more use of the Prescription Monitoring Program. Last year, there was concern about the confidentiality of information which has been addressed in the bill. The Prescription Monitoring Program helps practitioners avoid overdoses among their patients, but the Program is under-utilized. Amendments to the bill have addressed confidentiality of patient information and prohibiting use of the information for commercial advantage.

Persons Testifying: PRO: Representative Jinkins, prime sponsor; Daniel Baker, STERLING Reference Laboratories; David Michaelsen, Pathology Associates Medical Laboratory; Asif Khan, Rainier Internal Medicine.