

# HOUSE BILL REPORT

## HB 1637

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### As Passed Legislature

**Title:** An act relating to authorizing law enforcement and prosecutorial officials of federally recognized Indian tribes access to prescription monitoring data.

**Brief Description:** Authorizing law enforcement and prosecutorial officials of federally recognized Indian tribes access to prescription monitoring data.

**Sponsors:** Representatives Stokesbary, Hurst, Gregory, Zeiger, Rodne, Stambaugh, Magendanz, Kretz, Kochmar, Santos, Appleton, Sells, Van De Wege, Robinson, Ormsby, Fey, Dent and Jinkins.

### Brief History:

#### Committee Activity:

Community Development, Housing & Tribal Affairs: 2/3/15, 2/9/15 [DP].

#### Floor Activity:

Passed House: 3/2/15, 67-30.

Passed Senate: 4/8/15, 47-0.

Passed Legislature.

### Brief Summary of Bill

- Authorizes law enforcement or prosecutorial officials of federally recognized tribes to access prescription monitoring data.

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### HOUSE COMMITTEE ON COMMUNITY DEVELOPMENT, HOUSING & TRIBAL AFFAIRS

**Majority Report:** Do pass. Signed by 7 members: Representatives Appleton, Chair; Robinson, Vice Chair; Johnson, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Hawkins, Sawyer and Van De Wege.

**Staff:** Kirsten Lee (786-7133).

### Background:

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*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.*

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 the DOH is confidential.

The exceptions allow the 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;
- local, state, and federal law enforcement or prosecutorial 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.

**Summary of Bill:**

The DOH may provide data in the Prescription Monitoring Program to law enforcement or prosecutorial officials of federally recognized tribes who are engaged in a bona fide specific investigation involving a designated person.

**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 statute is too specific and omits tribal law enforcement. Tribal law enforcement would like the same access to the prescription database as federal, state, and local law enforcement currently have.

(Opposed) None.

**Persons Testifying:** Representative Stokesbary, prime sponsor.

**Persons Signed In To Testify But Not Testifying:** None.