

# SENATE BILL REPORT

## HB 1637

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As Reported by Senate Committee On:  
Health Care, March 31, 2015

**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:** Passed House: 3/02/15, 67-30.

**Committee Activity:** Health Care: 3/30/15, 3/31/15 [DP].

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### SENATE COMMITTEE ON HEALTH CARE

**Majority Report:** Do pass.

Signed by Senators Becker, Chair; Dammeier, Vice Chair; Frockt, Ranking Minority Member; Angel, Bailey, Brown, Cleveland, Conway, Jayapal, 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

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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:** Law enforcement or prosecutorial officials of federally recognized tribes who are engaged in a bona fide specific investigation involving a designated person may be provided data from the Prescription Monitoring Program.

**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 will help to combat prescription drug abuse on tribal lands and will allow tribal law enforcement access to the Prescription Monitoring Program in the same manner as other law enforcement agencies are allowed access. Not including tribal law enforcement in the current statute was likely an oversight. This gives tribes the same authority as other law enforcement agencies.

**Persons Testifying:** PRO: Representative Stokesbury, prime sponsor, Michael Moran, Confederated Tribes of the Colville Reservation.

**Persons Signed in to Testify But Not Testifying:** No one.