

# SENATE BILL REPORT

## SHB 2730

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As Reported by Senate Committee On:  
Health Care, February 23, 2016

**Title:** An act relating to the prescription monitoring program.

**Brief Description:** Concerning the prescription monitoring program.

**Sponsors:** House Committee on Health Care & Wellness (originally sponsored by Representatives Peterson, Walkinshaw, Ortiz-Self, Bergquist, Kagi, Gregerson, Kilduff, Frame and Pollet).

**Brief History:** Passed House: 2/12/16, 80-16.

**Committee Activity:** Health Care: 2/22/16, 2/23/16 [DP].

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### SENATE COMMITTEE ON HEALTH CARE

**Majority Report:** Do pass.

Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel, Bailey, Brown, Conway, Frockt, Jayapal, Keiser, Parlette and Rivers.

**Staff:** Kathleen Buchli (786-7488)

**Background:** The Prescription Monitoring Program. The Department of Health (DOH) maintains a prescription monitoring program (PMP) to monitor the prescribing and dispensing of controlled substances and other drugs that demonstrate a potential for abuse. Each time one of these drugs is dispensed, the dispenser must electronically submit the following information to the PMP:

- a patient identifier;
- the drug dispensed;
- the dispensing date;
- the quantity dispensed;
- the prescriber; and
- the dispenser.

Data in the PMP may be accessed by the following people:

- a person authorized to prescribe or dispense a controlled substance for the purpose of providing medical or pharmaceutical care for his or her patients;
- a person requesting his or her own PMP information;

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- a health professional licensing, certification, or regulatory agency;
- an appropriate law enforcement or prosecutorial official;
- an authorized practitioner of the Department of Social and Health Services or the Health Care Authority regarding Medicaid recipients;
- the Director of the Department of Labor and Industries - or designee - regarding workers' compensation claimants;
- the Secretary of the Department of Corrections - or designee - regarding offenders in the custody of the Department of Corrections;
- an entity under grand jury subpoena or court order;
- personnel of the DOH for administration of the PMP or the Uniform Controlled Substances Act; and
- certain medical test sites licensed by the DOH.

The Health Information Exchange. A Health Information Exchange (HIE) is a secure way for health care organizations to share messages and clinical information. Washington's HIE is operated by OneHealthPort, a lead organization designated by the Health Care Authority.

**Summary of Bill:** Access to the PMP is expanded to include:

- a prescriber of legend drugs;
- a health care facility or entity for the purpose of providing medical or pharmaceutical care to the patients of the facility or entity if: (1) the facility or entity is licensed by the DOH; and (2) the facility or entity is a trading partner with the HIE; and
- a health care provider group of five or more providers for the purpose of providing medical or pharmaceutical care to the patients of the provider group if: (1) all of the providers in the group are licensed; and (2) the provider group is a trading partner with the HIE.

**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: We are in a heroin crisis in this state and opioids are linked to the increased use of heroin. This bill is a result of stakeholdering that took place during the 2015 interim. There are six million opioid prescriptions filled in Washington every year. This bill would allow access for health care providers to keep an eye out for people who shop for opioids. This provides health care providers with an opportunity for health care providers to be more aware of the PMP and gives them better access to that system. This would increase use of the PMP and allows more efficient access to the PMP if used through the HIE. Prescribers who do not use the PMP state that the time it takes to sign up to the system and to sign in are barriers to their use. This would remove those barriers to use. The PMP is an essential tool in combating this crisis and allow prescribers to see prescriptions received over the last year. Washington is the only state to see a reduction in deaths due to opioid use, it has proven worth in improving partial outcomes. This will ensure hospitals and clinics will have access to data.

**Persons Testifying:** PRO: Rep Peterson, Prime Sponsor; Cassie Sauer, Washington State Hospital Association; Kathryn Kolan, Washington State Medical Association; Liam Yore, MD, WA Chapter - American College of Emergency Physicians, Washington State Medical Association; Gary Garrety, Department of Health.

**Persons Signed In To Testify But Not Testifying:** No one.