SENATE BILL REPORT
SB 5027

As of February 2, 2015

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: Senators Angel, Darneille, Dammeier, Keiser, Parlette, Cleveland, Bailey and Chase.

Brief History:
Committee Activity: Health Care: 1/29/15.

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 (PMP) 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 PMP to personnel of a test site if:

- a person authorized to prescribe or dispense drugs engages the test site to provide assistance in determining which medications are being used by a patient under the person's care;
- the test site has a procedure to ensure that the privacy and confidentiality of patients and their information are maintained and not disclosed to unauthorized parties;
- the test site is physically located in Washington;
- the test site is licensed by DOH; and
- the test site is certified as a drug testing laboratory by the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (Administration).

Test sites may not store, share, or sell data accessed from the PMP database. The data may only be transmitted to entities that are authorized to receive data under the Program. A responsible person, as designated by the Administration, must supervise the test site's access to data.

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 would expand the use of the PMP, which is extremely underutilized. The data provided to the labs would be secure. This will help in treating drug abuse and all data would be strictly controlled.

Persons Testifying: PRO: Evan Calas, Business Development Manager, Sterling Reference Lab; Janetta Bryskin, Laboratory Director, Sterling Reference Lab.