

SHB 2489 - H AMD 881

By Representative Stokesbary

SCOPE AND OBJECT 02/09/2018

1 On page 6, after line 31, insert the following:

2 "(3)(a) The department shall adopt rules by December 31, 2018,
3 regarding the siting and operation of drug injection sites that
4 allow the consumption or injection of federally regulated illegal
5 controlled substances, except those substances that a person may
6 lawfully possess under state law.

7 (b) The rules adopted by the department must have provisions
8 that prohibit drug injection sites operated within one mile of any
9 elementary or secondary school, playground, recreation center or
10 facility, child care center, public park, public transit center,
11 library, game arcade, or any facility where children are likely to
12 be present.

13 (c) The rules must require that:

14 (i) Upon each visit to an injection site and prior to any
15 injections, a person must undergo at least one hour of drug
16 counseling by a certified chemical dependency professional; the drug
17 counselor must meet the certification requirements pursuant to
18 chapter 246-811 WAC;

19 (ii) The sites maintain an appropriate supply of drugs that
20 prevent the effects of the illegal substance, help cure opioid
21 substance abuse disorder, and that block the effects of the drug in
22 the event of an overdose;

23 (iii) The sites meet minimum staffing ratios of at least two
24 health professionals per visitor, one of whom must be a physician;
25 and

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1 (iv) Staff be allowed to take uninterrupted meal and rest
2 periods that are not intermittent and that staff may not be required
3 to work overtime.

4 (d) The rules must require bi-weekly reporting to the department
5 regarding the number of individuals served, the services provided,
6 and the cost of providing such services, including an apportionment
7 of all reasonable operating expenses per person served. The report
8 must also include the outcomes of the service, such as whether the
9 person served returned for an injection or for other services, the
10 number of instances where naloxone was administered, and the number
11 of fatalities at the site.

12 (e) The rules may not allow for any existing-use exemptions.

13 (f) The rules must provide for penalties for violation of the
14 provisions regarding the siting and the operational requirements
15 specified by the department.

16 (g) The department has authority to adopt emergency rules to
17 implement the requirements of this subsection."

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EFFECT: Requires the Department of Social and Health Services to issue rules regarding the siting and operation of drug injection sites by December 31, 2018. Requires the rules to prohibit the siting of any drug injection site within a mile of any school, playground, or recreation site. Requires the sites to meet a series of minimum requirements including requiring facilities to: provide one hour of counseling, maintain an appropriate supply of drugs to prevent the effects of the illegal substances, and report bi-weekly on the number of individuals served. Provides emergency rulemaking authority to the Department of Social and Health Services to implement the requirements.

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