
SENATE BILL 5811

State of Washington

65th Legislature

2017 Regular Session

By Senator O'Ban

1 AN ACT Relating to expanding use of the involuntary treatment act
2 to combat heroin abuse; adding a new section to chapter 71.05 RCW;
3 creating a new section; and providing an effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** In 2015, more than fifty-two thousand
6 Americans died of drug overdoses, more than the number of recorded
7 deaths due to car crashes or gun violence. This number has more than
8 doubled since 2003. A huge part of this increase is linked to the
9 increased use of heroin and other opioids. The death toll due to
10 overdose from heroin and opioid abuse rose from nearly sixteen
11 thousand in 2009 to twenty-three thousand in 2015. The increase in
12 heroin deaths alone during this period was almost one thousand
13 percent, as many users shifted from use of opioid painkillers and
14 synthetic opioids to heroin abuse.

15 Heroin is deadly in part because it is more potent and more
16 addictive than opioid painkillers. Risk of overdose is exacerbated
17 when heroin use is mixed with other substances, like alcohol and
18 cocaine. The risks of harm from abuse of heroin and other deadly
19 drugs include morbidity, injuries, health and social problems,
20 unprotected sex, violence, deaths, motor vehicle accidents,

1 homicides, suicides, physical dependence, and psychological
2 addiction.

3 Responding to the opioid crisis requires a public health approach
4 that emphasizes treatment and prevention. The nation's drug czar
5 recognized in 2015 that "We can't arrest and incarcerate addiction
6 out of people." The solution must include assertive government action
7 to provide increased access to harm reduction programs and drug abuse
8 treatment. In service of this goal, Washington needs additional tools
9 to engage persons with substance use disorders in treatment who are
10 not ready or willing to face the problem on their own. The
11 legislature's adoption of integrated crisis response effective April
12 1, 2018, provides a target date and opportunity to increase services
13 and implement assertive methods of engagement for persons whose abuse
14 of drugs creates a risk of harm to them and their families.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 71.05
16 RCW to read as follows:

17 (1) The unprecedented increase in heroin abuse and the dangers
18 attendant to its use require an aggressive public policy intervention
19 to protect public health and safety and the health and safety of
20 individuals.

21 (2) A person is gravely disabled due to a substance use disorder
22 when the person has an opioid use disorder characterized by active
23 use of heroin and, within the prior twelve-month period, the person:

24 (a) Has had recurrent substance use resulting in a failure to
25 fulfill major role obligations at work, school, or home;

26 (b) Has had recurrent substance use in situations in which it is
27 physically hazardous, such as driving an automobile or operating
28 dangerous machinery;

29 (c) Has had three or more arrests related to activities
30 connected to substance use;

31 (d) Has experienced one or more periods of hospitalization
32 related to substance use;

33 (e) Has three or more visible track marks indicating intravenous
34 drug use; or

35 (f) Meets the criteria for gravely disabled under RCW 71.05.020.

1 NEW SECTION. **Sec. 3.** Section 2 of this act takes effect April
2 1, 2018.

--- END ---