

SHB 1109 - H AMD 457

By Representative Irwin

SCOPE AND OBJECT 03/29/2019

1 On page 121, line 17, increase the general fund--state
2 appropriation for fiscal year 2020 by \$100,000

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4 On page 122, line 12, correct the total.

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6 On page 130, beginning on line 1, insert the following:

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8 "(32) \$100,000 of the general fund--state appropriation for
9 fiscal year 2020 is provided solely for the department to implement
10 rules by September 1, 2019 regarding the siting and operation of
11 safe-injection sites that allow the consumption or injection of
12 federally regulated illegal controlled substances, except those
13 substances that a person may lawfully possess under state law.

14 (a) The rules implemented by the department must have provisions
15 that prohibit safe-injection sites operated within one mile of any
16 elementary or secondary school, playground, recreation center or
17 facility, child care center, public park, public transit center,
18 library, game arcade, or any facility where children are likely to
19 be present.

20 (b) The rules must require that:

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

26 (ii) The sites maintain an appropriate supply of drugs that
27 prevent the effects of the illegal substance, help cure opioid

1 substance abuse disorder, and that block the effects of the drug in
2 the event of an overdose;

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

5 (iv) Staff are allowed to take uninterrupted meal and rest
6 periods that are not intermittent and that staff may not be required
7 to work overtime.

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

16 (d) The rules may not allow for any existing-use exemptions.

17 (e) The rules must provide for penalties for violation of the
18 provisions regarding the siting and the operational requirements
19 specified by the department.

20 (f) The department has authority to adopt emergency rules to
21 implement the requirements of this subsection.

22 (g) The legislature intends that the rules developed by the
23 department are temporary and expire at the end of the 2019 - 2021
24 biennium."

EFFECT: Requires the Department of Health (DOH) to implement rules by September 1, 2019 regarding the siting and operation of safe-injection sites, and the DOH is authorized to engage in emergency rulemaking. The rules must address the specified on-site counseling, staffing, and reporting requirements. The DOH may not exempt sites already in existence on the effective date of the rules, and the rules must provide for penalties, upon violation. The rules are temporary and do not extend beyond the 2019 - 2021 biennium.

FISCAL IMPACT:

Increases General Fund - State by \$100,000.

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