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**HOUSE BILL 2807**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Representatives Walsh and Blake

Read first time 01/22/20. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to the treatment of patients with chronic pain;  
2 adding a new section to chapter 18.22 RCW; adding a new section to  
3 chapter 18.32 RCW; adding a new section to chapter 18.57 RCW; adding  
4 a new section to chapter 18.57A RCW; adding a new section to chapter  
5 18.71 RCW; adding a new section to chapter 18.71A RCW; adding a new  
6 section to chapter 18.79 RCW; and creating a new section.

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

8 NEW SECTION. **Sec. 1.** The legislature finds that Washington  
9 residents suffering from chronic pain are unable to obtain necessary  
10 prescription medications at effective doses to treat their pain  
11 because previous opioid-related laws and rules have created a  
12 chilling effect among health care practitioners. These health care  
13 practitioners are afraid of facing discipline, losing their license  
14 to practice, and of possible civil liability if they prescribe high  
15 doses of opioids to patients with chronic pain.

16 Therefore, the legislature intends to end the chilling effect  
17 created by these laws to allow patients in Washington with chronic  
18 pain to receive prescription medications at levels that effectively  
19 treat their pain.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 18.22  
2    RCW to read as follows:

3        No podiatric physician and surgeon licensed under this chapter  
4    acting in good faith may be subject to civil liability or  
5    disciplinary action by the board or department for prescribing opioid  
6    drugs in excess or in violation of department and board rules to a  
7    patient with chronic pain who has requested such a prescription and  
8    has provided written informed consent.

9        NEW SECTION.    **Sec. 3.**    A new section is added to chapter 18.32  
10    RCW to read as follows:

11       No dentist licensed under this chapter acting in good faith may  
12    be subject to civil liability or disciplinary action by the  
13    commission or department of health for prescribing opioid drugs in  
14    excess or in violation of department and commission rules to a  
15    patient with chronic pain who has requested such a prescription and  
16    has provided written informed consent.

17       NEW SECTION.    **Sec. 4.**    A new section is added to chapter 18.57  
18    RCW to read as follows:

19       No osteopathic physician and surgeon licensed under this chapter  
20    acting in good faith may be subject to civil liability or  
21    disciplinary action by the board or department for prescribing opioid  
22    drugs in excess or in violation of department and board rules to a  
23    patient with chronic pain who has requested such a prescription and  
24    has provided written informed consent.

25       NEW SECTION.    **Sec. 5.**    A new section is added to chapter 18.57A  
26    RCW to read as follows:

27       No osteopathic physician's assistant licensed under this chapter  
28    acting in good faith may be subject to civil liability or  
29    disciplinary action by the board or department of health for  
30    prescribing opioid drugs in excess or in violation of department and  
31    board rules to a patient with chronic pain who has requested such a  
32    prescription and has provided written informed consent.

33       NEW SECTION.    **Sec. 6.**    A new section is added to chapter 18.71  
34    RCW to read as follows:

35       No physician licensed under this chapter acting in good faith may  
36    be subject to civil liability or disciplinary action by the

1 commission or department of health for prescribing opioid drugs in  
2 excess or in violation of department and commission rules to a  
3 patient with chronic pain who has requested such a prescription and  
4 has provided written informed consent.

5 NEW SECTION. **Sec. 7.** A new section is added to chapter 18.71A  
6 RCW to read as follows:

7 No physician assistant licensed under this chapter acting in good  
8 faith may be subject to civil liability or disciplinary action by the  
9 commission or department for prescribing opioid drugs in excess or in  
10 violation of department and commission rules to a patient with  
11 chronic pain who has requested such a prescription and has provided  
12 written informed consent.

13 NEW SECTION. **Sec. 8.** A new section is added to chapter 18.79  
14 RCW to read as follows:

15 No advanced registered nurse practitioner licensed under this  
16 chapter acting in good faith may be subject to civil liability or  
17 disciplinary action by the commission or department for prescribing  
18 opioid drugs in excess or in violation of department and commission  
19 rules to a patient with chronic pain who has requested such a  
20 prescription and has provided written informed consent.

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