

# SENATE BILL REPORT

## HB 1761

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As Passed Senate, March 1, 2022

**Title:** An act relating to allowing nurses to dispense opioid overdose reversal medication in the emergency department.

**Brief Description:** Allowing nurses to dispense opioid overdose reversal medication in the emergency department.

**Sponsors:** Representatives Schmick, Bateman, Bronoske, Cody, Dufault, Jacobsen, Macri, Pollet, Donaghy, Graham, Davis and Chambers.

**Brief History:** Passed House: 1/28/22, 94-0.

**Committee Activity:** Behavioral Health Subcommittee to Health & Long Term Care: 2/15/22, 2/16/22 [DP].

Health & Long Term Care: 2/16/22 [w/oRec-BH].

**Floor Activity:** Passed Senate: 3/1/22, 49-0.

### Brief Summary of Bill

- Allows a registered nurse or licensed practical nurse to dispense opioid overdose reversal medication in an emergency room instead of a practitioner to certain patients when required by law.

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### SENATE COMMITTEE ON BEHAVIORAL HEALTH SUBCOMMITTEE TO HEALTH & LONG TERM CARE

**Majority Report:** Do pass.

Signed by Senators Frockt, Chair; Wagoner, Ranking Member; Dhingra, Nobles and Warnick.

**Staff:** Kevin Black (786-7747)

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

**Background:** Opioid Overdose Reversal Medication. Opioid overdose reversal medication is a drug used to reverse an opioid overdose that binds to opioid receptors and blocks or inhibits the effects of opioids acting on those receptors. Common opioid overdose reversal medications include Narcan, Naloxone, and Evzio. The Secretary of Health has issued a standing order making opioid overdose reversal medication to any person at risk of experiencing an opioid-related overdose or any person or entity in a position to assist a person at risk of experiencing an opioid-related overdose. Prescribers and dispensers are authorized to provide opioid overdose reversal medication pursuant to the standing order to any person at risk of experiencing an opioid overdose or to any person in a position to assist a person at risk of experiencing an opioid overdose.

Prior to 2022, hospital emergency departments were authorized to allow practitioners to prescribe and for practitioners and registered nurses to distribute prepackaged opioid overdose reversal medication upon discharge if the practitioner determined the patient was at risk of an opioid overdose.

Second Substitute Senate Bill 5195 (2021). Beginning January 1, 2022, hospitals are required to provide a person who presents to an emergency department with symptoms of opioid overdose, opioid use disorder, or other adverse event related to opioid use with opioid overdose reversal medication upon discharge, unless the treating practitioner determines that dispensing or distributing opioid overdose reversal medication is not appropriate or the practitioner confirms the patient already has the medication. If the hospital dispenses or distributes the medication, it must provide directions for use and information about the medication, harm reduction strategies, and what services may be available. A practitioner in a hospital emergency department, defined as a person authorized to prescribe drugs, must dispense or distribute opioid overdose reversal medication.

**Summary of Bill:** A registered nurse or licensed practical nurse may dispense or distribute opioid overdose reversal medication instead of a practitioner in order to comply with laws requiring this medication to be provided to a person who presents to a hospital emergency department with symptoms of an opioid overdose, opioid use disorder, and other adverse event related to opioid use.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Staff Summary of Public Testimony:** PRO: An emergency department operates under different rules as other health facilities and typically doesn't have a pharmacy attached to it.

2SSB 5195 last year made a lot of changes to the way emergency departments operate by requiring distribution of Narcan. Allowing nurses to distribute Narcan makes an incredible amount of sense as they are the ones helping patients during discharge. This is a cleanup bill that will help the drug get out there. This bill aligns the statutes with the intent to allow nurses to distribute opioid overdose reversal medication. Dispensing is beyond the scope of nurses but they can distribute. Giving out this medication is critical to save lives. Please make a technical change to the title to say distribute instead of dispense.

**Persons Testifying:** PRO: Paula Meyer, Nursing Care Quality Assurance Commission; Katie Kolan, Washington State Hospital Association (WSHA).

**Persons Signed In To Testify But Not Testifying:** No one.