

# HOUSE BILL REPORT

## 2SHB 2112

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### As Passed Legislature

**Title:** An act relating to opioid and fentanyl prevention education and awareness at institutions of higher education.

**Brief Description:** Concerning opioid and fentanyl prevention education and awareness at institutions of higher education.

**Sponsors:** House Committee on Appropriations (originally sponsored by Representatives Nance, Leavitt, Simmons, Reed, Ormsby, Callan, Rule, Orwall, Paul, Timmons, Lekanoff, Riccelli, Wylie, Reeves, Shavers, Pollet, Kloba and Davis).

**Brief History:**

**Committee Activity:**

Postsecondary Education & Workforce: 1/16/24, 1/17/24, 1/24/24 [DPS];  
Appropriations: 2/1/24, 2/3/24 [DP2S(w/o sub PEW)].

**Floor Activity:**

Passed House: 2/8/24, 94-3.  
Passed Senate: 3/1/24, 49-0.  
Passed Legislature.

**Brief Summary of Second Substitute Bill**

- Requires public and private institutions of higher education to provide opioid and fentanyl prevention education and awareness to all students.
- Requires public and private institutions of higher education to make naloxone and fentanyl strips available to students on campus.
- Requires public and private institutions of higher education to provide education and training on administering naloxone to staff working in residence halls.

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### HOUSE COMMITTEE ON POSTSECONDARY EDUCATION & WORKFORCE

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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.*

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives Slatter, Chair; Reed, Vice Chair; Ybarra, Ranking Minority Member; Waters, Assistant Ranking Minority Member; Chandler, Jacobsen, Klicker, Leavitt, McEntire, Nance, Paul, Pollet, Schmidt and Timmons.

**Staff:** Elizabeth Allison (786-7129).

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Postsecondary Education & Workforce. Signed by 29 members: Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg, Callan, Chopp, Davis, Dye, Fitzgibbon, Harris, Lekanoff, Pollet, Riccelli, Rude, Ryu, Sandlin, Schmick, Senn, Simmons, Slatter, Springer, Stonier, Tharinger and Wilcox.

**Staff:** Kate Henry (786-7349).

### **Background:**

Opioids are a class of drugs that include heroine, fentanyl, oxycodone, hydrocodone, and morphine. Fentanyl is a potent synthetic opioid. Pharmaceutical fentanyl is approved by the Food and Drug Administration for use as an analgesic and anesthetic.

Fentanyl can also be illegally made and distributed. It can be made in both a liquid and powder formula and can be mixed with other drugs. Fentanyl is not detectable through sight, taste, smell, or touch. However, fentanyl can be detected through the use of fentanyl test strips, which are small strips of paper that can detect fentanyl in different kind of drugs when dissolved in water.

Naloxone is a medication designed to rapidly reverse opioid overdose. It works by binding to opioid receptors in the body and can reverse and block the effects of opioids.

Washington's Good Samaritan Law limits liability for a person who renders emergency care at the scene of an emergency or who participates in transporting an injured person from the scene, without compensation or the expectation of compensation. The law excludes persons who render such care during the course of regular employment and who receive compensation or expect to receive compensation for such care.

### **Summary of Second Substitute Bill:**

Each public and private institution of higher education must provide opioid and fentanyl

prevention education and awareness information to all students. Education may be offered in person or electronically and must include information on the Good Samaritan Law and must be posted on each institution's public website.

Naloxone and fentanyl strips must be made available to students on campus in various accessible locations such as student wellness centers, student union buildings, and student housing.

Institutions must provide education and training on administering naloxone to staff working in residence halls.

For the purpose of assisting a person at risk of experiencing an opioid-related overdose, an institution may obtain and maintain opioid overdose reversal medication through a standing order prescribed and dispensed in accordance with an existing standing order.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed. However, the bill is null and void unless funded in the budget.

**Staff Summary of Public Testimony (Postsecondary Education & Workforce):**

(In support) Institutions need to be equipped with the tools to address the fentanyl crisis. Fentanyl is a scourge on society. Community and technical colleges are not immune to this epidemic. People are falling prey to opioids and fentanyl, and fentanyl testing strips are necessary so people do not accidentally overdose. This is not the only action to be taken, but it is an important step within the higher education community. There have been many thousands of deaths from drug overdoses in Washington. These deaths could have been prevented if these people had access to testing strips and naloxone on campuses. This bill will help protect friends, coworkers, and bosses. Test strips are an acute response to a chronic condition. Other treatments, such as Buprenorphine, are available that can be prescribed at student health centers. Overdoses happen on campuses. Some changes would improve the bill. These changes include including information about the Good Samaritan Law so people know that they can call for help and not get in trouble, referencing the statewide standing order to dispense naloxone, and addressing liability for institutions. Training is critical and should be funded by the state.

(Opposed) None.

(Other) Student welfare is at the center of this issue. Some campuses already provide training, care, test strips, and naloxone. The demand for test strips and naloxone nasal spray has caused a shortage. Some campuses do not have access to funds to pay for these items. A grant program to make the program more affordable is encouraged. The bill should be

reviewed again in three years to address changing technologies.

**Staff Summary of Public Testimony (Appropriations):**

(In support) The primary focus should be securing funding for implementation, stocking, and restocking of critical items such as Narcan and fentanyl testing strips on college campuses. Community and technical colleges are not immune to this epidemic. People are falling prey to opioids and fentanyl, and fentanyl testing strips are necessary so people do not accidentally overdose. This bill will help protect students in their time of crisis.

The education requirement will ensure safety of students. Equipping students with the knowledge and resources to make informed decisions about their health and welfare is paramount. The number of lives lost due to overdose deaths is increasing, and the cost of those lives is rising. Not only will this bill help individuals, it is sound fiscal policy. If these products are not provided then they will be purchased from the disposable income of friends and family. The health and safety of students must be maintained.

(Opposed) None.

(Other) Some campuses already provide education, test strips, and naloxone. Some campuses do not have access to funds to pay for these items. A recurring grant program to provide supplies to make the program more affordable is encouraged. The policy should be reviewed after a specified period of time to see the impacts of the policy.

**Persons Testifying (Postsecondary Education & Workforce):** (In support) Representative Greg Nance, prime sponsor; Kaitlynn Albenesius, Pierce College; Simone Boe, Washington Education Association; Melissa Beard, Council of Presidents; Amanda Kost, University of Washington; and Reese Ramirez, University of Washington Tacoma Students.

(Other) Mike Burgess, Independent Colleges of Washington.

**Persons Testifying (Appropriations):** (In support) Lauren Hibbs; Lilly Hayward, Seattle Metropolitan Chamber of Commerce; Isela Bonilla, Associated Students of Washington State University Vancouver; and Juniper Campbell, Geoduck Student Union of The Evergreen State College.

(Other) Terri Standish-Kuon, Independent Colleges of Washington.

**Persons Signed In To Testify But Not Testifying (Postsecondary Education & Workforce):**

Collin Bannister, The Associated Students of Washington State University; and Isela Bonilla, Associated Students of Washington State University Vancouver.

**Persons Signed In To Testify But Not Testifying (Appropriations):** None.