

HOUSE BILL REPORT

SHB 1759

As Amended by the Senate

Title: An act relating to the sale of hypodermic syringes.

Brief Description: Allowing for the sale of hypodermic syringes and needles to reduce the transmission of bloodborne diseases.

Sponsors: By House Committee on Health Care (originally sponsored by Representatives Darneille, Schual-Berke, McDermott, Santos, Murray, Tokuda and Wood).

Brief History:

Committee Activity:

Health Care: 2/22/01, 2/27/01 [DPS].

Floor Activity:

Passed House: 3/12/01, 79-16.

Senate Amended.

Passed Senate: 4/11/01, 27-18.

<p style="text-align: center;">Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">· Allows access to sterile syringes as a way to reduce the spread of blood-borne infections.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives Campbell, Republican Co-Chair; Cody, Democratic Co-Chair; Schual-Berke, Democratic Vice Chair; Skinner, Republican Vice Chair; Alexander, Ballasiotes, Conway, Darneille, Edmonds, Edwards, Marine, McMorris, Pennington and Ruderman.

Staff: Dave Knutson (786-7146).

Background:

Approximately 41,000 injection drug users live in Washington. Injection drug users are at high risk of blood borne infections, including the human immunodeficiency virus (HIV) and hepatitis B and C virus. They account for approximately 21 percent of the

state's acquired immune deficiency syndrome (AIDS) cases. The sharing of syringes leads to the transmission of these debilitating and costly diseases.

Current state law prohibits a pharmacist from selling clean syringes unless they can satisfy themselves that the device will be used for the legal use intended.

In 2000, the Governor's Advisory Council on HIV/AIDS and the Governor's Council on Substance Abuse issued a joint report entitled: Prevention of Blood-Borne Infections. The report recommended allowing access to sterile syringes as a way to reduce the spread of blood-borne infections among injection drug users. Other specific recommendations include:

1. Amend RCW 70.115.050 and RCW 69.50.4121 to allow for the pharmaceutical sale of sterile syringes.
 - a. Sales limited to 10 syringes.
 - b. Sales limited to individuals at least 18 years old.
 - c. Pharmacists should be required to provide drug prevention and treatment materials at the point of sale.
2. Amend RCW 69.50.421 to allow for the limited possession and sale of sterile syringes for legitimate public health purposes.

Summary of Bill:

Individuals over 18 years of age may possess up to 10 sterile syringes to reduce the transmission of bloodborne diseases. Injection syringe equipment may be distributed through pharmacies. Pharmacists may provide drug prevention and treatment materials at the point of sale. Sterile syringes sold under this act must be designed to reduce the risk of an exposure incident after the syringe has been used.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment removes the language authorizing sales of sterile syringes to reduce bloodborne diseases. Removes the requirement that the Board of Pharmacy adopt rules. Removes the requirement that syringes sold to reduce bloodborne diseases have built in safety devices. The ability of a pharmacist to refuse to sell syringes to any person is also removed.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The sale of sterile syringes under this bill will reduce the transmission of bloodborne diseases and help the state avoid paying for expensive treatment. The sale of sterile syringes to reduce bloodborne diseases should be separated from the statutes governing sale of sterile syringes to diabetics and others requiring syringes.

Testimony Against: None.

Testified: Representative Darneille, prime sponsor; Jack Jourden, Department of Health; Don Williams, State Board of Pharmacy; Rod Shafer, Washington State Pharmaceutical Association; and Priscilla Lisicich, Governor's Council on Substance Abuse.