
SENATE BILL 5290

State of Washington

64th Legislature

2015 Regular Session

By Senators Braun, Roach, Miloscia, Dammeier, Angel, Habib, Hatfield, Chase, Hobbs, and McCoy

Read first time 01/19/15. Referred to Committee on Health Care.

1 AN ACT Relating to authorizing law enforcement and prosecutorial
2 officials of federally recognized Indian tribes access to
3 prescription monitoring data; and amending RCW 70.225.040.

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

5 **Sec. 1.** RCW 70.225.040 and 2011 1st sp.s. c 15 s 87 are each
6 amended to read as follows:

7 (1) Prescription information submitted to the department shall be
8 confidential, in compliance with chapter 70.02 RCW and federal health
9 care information privacy requirements and not subject to disclosure,
10 except as provided in subsections (3) and (4) of this section.

11 (2) The department shall maintain procedures to ensure that the
12 privacy and confidentiality of patients and patient information
13 collected, recorded, transmitted, and maintained is not disclosed to
14 persons except as in subsections (3) and (4) of this section.

15 (3) The department may provide data in the prescription
16 monitoring program to the following persons:

17 (a) Persons authorized to prescribe or dispense controlled
18 substances, for the purpose of providing medical or pharmaceutical
19 care for their patients;

20 (b) An individual who requests the individual's own prescription
21 monitoring information;

1 (c) Health professional licensing, certification, or regulatory
2 agency or entity;

3 (d) Appropriate (~~local, state, and federal~~) law enforcement or
4 prosecutorial officials, including local, state, and federal
5 officials and officials of federally recognized tribes, who are
6 engaged in a bona fide specific investigation involving a designated
7 person;

8 (e) Authorized practitioners of the department of social and
9 health services and the health care authority regarding medicaid
10 program recipients;

11 (f) The director or director's designee within the department of
12 labor and industries regarding workers' compensation claimants;

13 (g) The director or the director's designee within the department
14 of corrections regarding offenders committed to the department of
15 corrections;

16 (h) Other entities under grand jury subpoena or court order; and

17 (i) Personnel of the department for purposes of administration
18 and enforcement of this chapter or chapter 69.50 RCW.

19 (4) The department may provide data to public or private entities
20 for statistical, research, or educational purposes after removing
21 information that could be used to identify individual patients,
22 dispensers, prescribers, and persons who received prescriptions from
23 dispensers.

24 (5) A dispenser or practitioner acting in good faith is immune
25 from any civil, criminal, or administrative liability that might
26 otherwise be incurred or imposed for requesting, receiving, or using
27 information from the program.

--- END ---