

SSB 5594 - S AMD 50

By Senators Kohl-Welles, Holmquist Newbry

ADOPTED 03/01/2011

1 Strike everything after the enacting clause and insert the
2 following:

3 NEW SECTION. **Sec. 1.** The legislature declares that health care
4 personnel who work with or near hazardous drugs in health care settings
5 may be exposed to these agents in the air, on work surfaces, clothing,
6 and medical equipment or through patient contact. According to the
7 national institute for occupational safety and health (NIOSH), early
8 concerns about occupational exposure to antineoplastic drugs first
9 appeared in the 1970s. Antineoplastic and other hazardous drugs may
10 cause skin rashes, infertility, miscarriage, birth defects, and have
11 been linked to a wide variety of cancers. The national institute for
12 occupational safety and health published an alert on preventing
13 occupational exposures to antineoplastic and other hazardous drugs in
14 health care settings in 2004 with an update in 2010. In this alert,
15 the institute "presents a standard precautions or universal precautions
16 approach to handling hazardous drugs safely: that is, NIOSH recommends
17 that all hazardous drugs be handled as outlined in this Alert." It is
18 the intent of the legislature to require health care facilities to
19 follow rules requiring compliance with all aspects of the institute's
20 alert regardless of the setting in order to protect health care
21 personnel from hazardous exposure to such drugs.

22 NEW SECTION. **Sec. 2.** A new section is added to chapter 49.17 RCW
23 to read as follows:

24 The definitions in this section apply throughout sections 1 through
25 3 of this act unless the context clearly requires otherwise.

26 (1) "Antineoplastic drug" means a chemotherapeutic agent that
27 controls or kills cancer cells.

28 (2) "Hazardous drugs" means any drug identified by the national
29 institute for occupational safety and health at the centers for disease

1 control or any drug that meets at least one of the following six
2 criteria: Carcinogenicity, teratogenicity or developmental toxicity,
3 reproductive toxicity in humans, organ toxicity at low doses in humans
4 or animals, genotoxicity, or new drugs that mimic existing hazardous
5 drugs in structure or toxicity.

6 NEW SECTION. **Sec. 3.** A new section is added to chapter 49.17 RCW
7 to read as follows:

8 The director of labor and industries shall adopt by rule
9 requirements for the handling of antineoplastic and other hazardous
10 drugs in health care facilities regardless of the setting. Rule making
11 under this section shall consider input from hospitals, organizations
12 representing health care personnel, other stakeholders and shall
13 consider reasonable time for facilities to implement new requirements.
14 The rules will be consistent with and not exceed provisions adopted by
15 the national institute for occupational safety and health's 2004 alert
16 on preventing occupational exposures to antineoplastic and other
17 hazardous drugs in health care settings as updated in 2010. The
18 department's adoption of the rules may incorporate updates and changes
19 to the institute's guidelines as made by the centers for disease
20 control and prevention. Enforcement of these requirements will be
21 according to all provisions in this chapter."

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22 On page 1, line 1 of the title, after "drugs;" strike the remainder
23 of the title and insert "adding new sections to chapter 49.17 RCW; and
24 creating a new section."

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