S-1410.3

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**SENATE BILL 5811**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Senator O'Ban

AN ACT Relating to expanding use of the involuntary treatment act to combat heroin abuse; adding a new section to chapter 71.05 RCW; creating a new section; and providing an effective date.

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

NEW SECTION. **Sec.**  In 2015, more than fifty-two thousand Americans died of drug overdoses, more than the number of recorded deaths due to car crashes or gun violence. This number has more than doubled since 2003. A huge part of this increase is linked to the increased use of heroin and other opioids. The death toll due to overdose from heroin and opioid abuse rose from nearly sixteen thousand in 2009 to twenty-three thousand in 2015. The increase in heroin deaths alone during this period was almost one thousand percent, as many users shifted from use of opioid painkillers and synthetic opioids to heroin abuse.

Heroin is deadly in part because it is more potent and more addictive than opioid painkillers. Risk of overdose is exacerbated when heroin use is mixed with other substances, like alcohol and cocaine. The risks of harm from abuse of heroin and other deadly drugs include morbidity, injuries, health and social problems, unprotected sex, violence, deaths, motor vehicle accidents, homicides, suicides, physical dependence, and psychological addiction.

Responding to the opioid crisis requires a public health approach that emphasizes treatment and prevention. The nation's drug czar recognized in 2015 that "We can't arrest and incarcerate addiction out of people." The solution must include assertive government action to provide increased access to harm reduction programs and drug abuse treatment. In service of this goal, Washington needs additional tools to engage persons with substance use disorders in treatment who are not ready or willing to face the problem on their own. The legislature's adoption of integrated crisis response effective April 1, 2018, provides a target date and opportunity to increase services and implement assertive methods of engagement for persons whose abuse of drugs creates a risk of harm to them and their families.

NEW SECTION. **Sec.**  A new section is added to chapter 71.05 RCW to read as follows:

(1) The unprecedented increase in heroin abuse and the dangers attendant to its use require an aggressive public policy intervention to protect public health and safety and the health and safety of individuals.

(2) A person is gravely disabled due to a substance use disorder when the person has an opioid use disorder characterized by active use of heroin and, within the prior twelve-month period, the person:

(a) Has had recurrent substance use resulting in a failure to fulfill major role obligations at work, school, or home;

(b) Has had recurrent substance use in situations in which it is physically hazardous, such as driving an automobile or operating dangerous machinery;

(c) Has had three or more arrests related to activities connected to substance use;

(d) Has experienced one or more periods of hospitalization related to substance use;

(e) Has three or more visible track marks indicating intravenous drug use; or

(f) Meets the criteria for gravely disabled under RCW 71.05.020.

NEW SECTION. **Sec.**  Section 2 of this act takes effect April 1, 2018.

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