

HOUSE BILL REPORT

HB 1956

As Reported by House Committee On:

Education
Appropriations

Title: An act relating to fentanyl and other substance use prevention education.

Brief Description: Addressing fentanyl and other substance use prevention education.

Sponsors: Representatives Leavitt, Griffey, Ryu, Couture, Ramel, Slatter, Reed, Ormsby, Barnard, Callan, Timmons, Kloba, Cheney, Doglio, Paul, Berg, Lekanoff, Reeves, Riccelli, Wylie, Hackney, Pollet and Shavers; by request of Office of the Governor.

Brief History:

Committee Activity:

Education: 1/18/24, 1/25/24 [DPS];

Appropriations: 2/3/24, 2/5/24 [DP2S(w/o sub ED)].

Brief Summary of Second Substitute Bill

- Directs the Secretary of Health to develop, implement, and maintain a statewide drug overdose prevention and awareness campaign to address the drug overdose epidemic that meets specified requirements.
- Requires the Office of the Superintendent of Public Instruction (OSPI) to develop, periodically update, and actively distribute school and classroom substance use prevention and awareness materials.
- Directs the OSPI to adjust the state health and physical education learning standards for middle and high school students to add opioids to the list of drugs included in drug-related education.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass.

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.

Signed by 15 members: Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist, Couture, Eslick, Harris, McClintock, Nance, Ortiz-Self, Pollet, Steele, Stonier and Timmons.

Staff: Megan Wargacki (786-7194).

Background:

Opioids.

Opioids are a class of drugs that reduce the perception of pain and have other effects, for example drowsiness, confusion, and euphoria. Natural opioids, like morphine and codeine, are extracted from the poppy plant. Synthetic opioids are artificially created substances that act on the same brain receptors as natural opioids. Some synthetic opioids, like methadone and fentanyl, are approved for medical use, but must be prescribed by an authorized health care provider. Some synthetic opioids are illicitly produced and distributed.

Substance Use Awareness Information.

The Department of Health (DOH) is required to post on its website information about substance use trends, overdose symptoms and response, and the secure storage of prescription drugs and over-the-counter medications. Each school district, charter school, state-tribal education compact school, and educational service district must make the DOH substance use information accessible to students, families, and other interested persons through internet-based communications at least quarterly.

The Health Care Authority (HCA) is required, through the biennial budget, to conduct various opioid awareness campaigns for various purposes, including harm reduction, overdose prevention, secondary prevention, and youth education. The HCA is required to consult with the DOH when conducting these public awareness efforts.

Summary of Substitute Bill:

Substance Use Prevention and Awareness Campaign.

The Secretary of Health is directed to annually develop and deploy a statewide multimedia substance use prevention and awareness campaign (campaign) that evolves to address the substance or substances with the greatest impact on the health of Washington youth and their families, diverse regions and communities, and the broader public. The campaign must be developed in partnership with the Governor's Interagency Coordinating Council on Health Disparities.

The campaign messages and materials must include information on the Good Samaritan Overdose Law. Messages and materials for target groups must connect and be reinforced by the statewide messages and materials. In addition, the messages and materials must be

actively distributed to diverse regions and communities and through multiple formats.

The 2024 and 2025 campaigns must focus on increasing the awareness of the dangers of fentanyl and other synthetic opioids, as well as providing overdose prevention and addiction treatment information.

School and Classroom Substance Use Prevention and Awareness Materials.

The Office of the Superintendent of Public Instruction (OSPI) is directed to collaborate with the Department of Health to develop age-appropriate substance use prevention and awareness materials for school and classroom uses and to periodically update the materials to align with the campaign.

The OSPI is also directed to actively distribute the developed materials to school districts, public schools, educational service districts, and community-based organizations that provide extended learning opportunities, and to strongly encourage the incorporation of age-appropriate materials in classrooms, as well as in family and community communications.

Substitute Bill Compared to Original Bill:

The substitute bill removes all of the provisions of the underlying bill and instead:

- directs the Secretary of Health to annually develop and deploy a statewide multimedia substance use prevention and awareness campaign that meets specified requirements; and
- requires the Office of the Superintendent of Public Instruction to develop, periodically update, and actively distribute school and classroom substance use prevention and awareness materials.

Appropriation: None.

Fiscal Note: Requested on January 25, 2024.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The incidents of overdose deaths from opioids, including fentanyl have increased dramatically. Fentanyl is potent, cheap, and accessible. Addressing this public health crisis is a high priority that demands a variety of approaches, including making students aware of the dangers of fentanyl and other substances.

Education is a key component of the efforts to address the opioid epidemic. Many people do not understand the dangers of fentanyl and other opioids. They do not know that pills

might be contaminated with lethal doses of fentanyl. People need to know the warning signs of substance use disorder.

Teens and young adults tend to be the groups that experiment with drugs without understanding the possible risks. It is situational awareness and personal choices that will keep youth out of danger most of the time. Some youth are now battling substance use disorder after encountering a substance that they thought was recreational.

The educational service districts have partnered with the Health Care Authority to provide substance use prevention and intervention education to students and parents. Federal agencies have also distributed materials to support state efforts to reduce substance use and misuse of drugs.

Many state agencies have worked together to develop this bill, which is part of a broader strategy to address the fentanyl crisis. Communities and tribal leaders have asked for this bill. Everyone needs to work together. This education will help discourage the use of drugs and prepare youth to have better decision-making skills when they come across drugs.

(Opposed) None.

Persons Testifying: Representative Mari Leavitt, prime sponsor; James Lewis, Snohomish County; Maria Petty; Melissa Gombosky, Association of Educational Service Districts; Emma Potra; Kiran Parhar; Luis Garcia De Vicente; Corbin Kuhn; Jarred-Michael Erickson, Confederated Tribes of the Colville Reservation; Maddy Thompson, Office of the Governor; and Anthony Fletcher, City of Everett.

Persons Signed In To Testify But Not Testifying: Mikhail Cherniske, Office of the Superintendent of Public Instruction; Casey Brown, Association of Washington School Principals; Simone Boe, Washington Education Association; Travis Sugarman, Washington State Department of Health; and John Worthington, Association of American Medical Colleges.

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 Education. Signed by 30 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, Stokesbary, Stonier, Tharinger and Wilcox.

Staff: Jordan Clarke (786-7123).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Education:

The Appropriations Committee recommended:

- modifying the requirements for the statewide prevention and awareness campaign and adding the Health Care Authority (HCA), other state agencies, and the Educational Service Districts (ESDs) to the list of agencies that the OSPI must collaborate with in the development of substance use prevention and awareness materials;
- specifying that, by December 1, 2024, the OSPI must adjust the state health and physical education learning standards for middle and high school students to add opioids to the list of drugs included in drug-related education;
- requiring that, by December 1, 2024, the OSPI collaborate with the DOH, the HCA, other state agencies, and the ESDs to develop school and classroom materials on the lethality of fentanyl and other opioids, and making the materials available to assist schools in implementing the adjusted state health and physical education learning standards; and
- adding a null and void clause, making the bill null and void unless funded in the budget.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Second Substitute Bill: The bill contains an emergency clause and takes effect immediately. However, the bill is null and void unless funded in the budget.

Staff Summary of Public Testimony:

(In support) Addressing the fentanyl crisis is a high priority for the Governor, and education and prevention is an important part of this strategy. Youth need to be made aware of the potential lethality of fentanyl, and how it can be laced into other drugs or look like prescription pain killers. The damage caused by fentanyl is unlike any drug the world has seen before, and it is necessary to act quickly to avoid additional lives lost. Fentanyl now makes up the vast majority of opioid overdoses. There is broad support from education partners, tribal leaders, and parents, especially from parents who have lost children due to fentanyl poisoning.

(Opposed) None.

Persons Testifying: Maddy Thompson, Office of the Governor.

Persons Signed In To Testify But Not Testifying: None.