

SENATE BILL REPORT

SB 5923

As of January 30, 2024

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

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

Sponsors: Senators Wellman, Dhingra, Cleveland, Hasegawa, Kuderer, Liias, Nguyen, Nobles, Trudeau, Valdez, Warnick and Wilson, C.; by request of Office of the Governor.

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/11/24, 1/17/24 [DPS-WM].
Ways & Means: 1/30/24.

Brief Summary of First Substitute Bill

- Tasks the Office of the Superintendent of Public Instruction (OSPI) and other agencies to review and update substance use prevention education materials and resources provided to students and families in middle and high schools.
- Directs OSPI to revise the health and physical education K-12 learning standards to include knowledge and understanding related to fentanyl, opioid, and other life-threatening drug use.
- Requires education to prevent fentanyl and other opioid use to be provided once a year to all students in seventh and ninth grade.
- Strongly encourages school districts to work with their educational service districts and substance abuse intervention specialists to provide this education and invite families where possible.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: That Substitute Senate Bill No. 5923 be substituted therefor, and the

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substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier, Hunt, McCune, Mullet and Pedersen.

Staff: Ailey Kato (786-7434)

SENATE COMMITTEE ON WAYS & MEANS

Staff: Richard Ramsey, 786-7909

Background: Substance Abuse Intervention Specialists. State law directs the Office of the Superintendent of Public Instruction (OSPI) to provide grants for drug and alcohol abuse prevention and intervention programs for students, subject to appropriations. These grants may be used for services provided by a substance abuse intervention specialist or for dedicated staff time for counseling and intervention services.

Services provided by a substance abuse intervention specialist may include:

- individual and family counseling, including preventive counseling;
- assessment referral for treatment;
- referral to peer support groups;
- aftercare;
- development and supervision of student mentor programs;
- staff training; and
- development and coordination of school drug and alcohol core teams involving staff, students, parents, and community members.

Student Assistance Prevention and Intervention Services Program. According to the Health Care Authority (HCA), this agency contracts with each of the nine educational service districts (ESDs) to administer this program. This program places student assistance professionals in local schools to serve students at risk of using alcohol, tobacco, and other drugs and students struggling with substance abuse. General prevention activities include supervising peer leadership clubs; providing information to students, staff, and families; and coordinating with community services.

Summary of Bill (First Substitute): Education Materials and Resources. By September 1, 2024, OSPI, in collaboration with ESDs, HCA, the Department of Health, and the Department of Children, Youth, and Families, must review frequently used substance use prevention education materials and resources provided to students and families in middle and high schools. These agencies must identify changes or additional materials and resources to include information about the potential lethality and other risks associated with the use of fentanyl and other opioids, information on limited immunity from prosecution for people who seek medical assistance related to a drug overdose, and behavioral health resources. These agencies must consult with Indian tribes for input to ensure effectiveness for use in state tribal education compact schools and for tribal children, youth, and

families.

By December 1, 2024, OSPI must make updated materials and resources available on its website for use by school districts, ESDs, and community-based organizations. OSPI and the other agencies must review the materials and resources at least once every other year thereafter.

School districts that serve students in middle and high school are strongly encouraged to work with their ESD and substance abuse intervention specialists to provide fentanyl and other opioid prevention education to students and their families where possible.

Health and Physical Education Learning Standards. By December 1, 2024, OSPI must complete revisions to the health and physical education K-12 learning standards that include knowledge and understanding related to fentanyl, opioid, and other life-threatening drug use in grade seven and in grade nine.

Beginning in the 2025-26 school year, education to prevent fentanyl and other opioid use included in health standards must be provided once a year to all students in seventh and ninth grade with information on behavioral health resources as a component of required health programs. During the 2024-25 school year, this education must be provided to as many seventh and ninth grade students as possible.

Schools are encouraged to provide additional programming at their discretion. School districts and ESDs must consider using the materials and resources developed by OSPI and the other agencies.

EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (First Substitute):

- Specifies that the health and physical education learning standards be updated for grades seven and nine.
- Clarifies that the requirement to provide education to prevent fentanyl and other opioid use begins in the 2025-26 school year and that this education must be provided to as many seventh and ninth grade students as possible during the 2024-25 school year.
- Requires information on limited immunity from prosecution for people who seek medical assistance related to a drug overdose be included in substance use prevention education materials and resources.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony on Original Bill (Early Learning & K-12 Education): *The committee recommended a different version of the bill than what was heard.* PRO: Deaths related to fentanyl are tragic because they are preventable. It's important that students understand the risks of opioids. Currently, the state learning standards do not mention fentanyl. High school students often feel invincible and curious, and schools can be a place where they learn about risks, hazards, and treatments. Peer-led groups can help prevent students from turning to drugs as a coping mechanism. Educational service districts are already doing some of this work and can support the additional work along with OSPI. Public schools have become part of the public health system. This legislation can save children's lives.

OTHER: Local prevention providers and coalitions should be included in the curriculum selection process.

Persons Testifying (Early Learning & K-12 Education): PRO: Senator Lisa Wellman, Prime Sponsor; Jarred-Michael Erickson, Confederated Tribes of the Colville Reservation; Maddy Thompson, Office of the Governor; Melissa Gombosky, Association of Educational Service Districts; Maria Trujillo-Petty; Roz Thompson, Association of Washington School Principals; Eva Wagner, City of Everett Youth Advisory Board; Dixie Grunenfelder, Office of Superintendent of Public Instruction; Zoe Bever, Student - Oak Harbor High School-Community Awareness Peer Educators.

OTHER: Scott Waller, Washington Association for Substance misuse And Violence Prevention.

Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education):
No one.

Staff Summary of Public Testimony (Ways & Means): Requires learning and health standards for middle- and high- school students be updated to cover fentanyl and other opioids. Addressing the fentanyl and other opioids crisis is a high priority for the Governor. This bill is a vital step in addressing the threat from fentanyl and opium. This is a critical intervention offering information at an important life stage for our youth. This bill is not just an educational measure; it's a life saver. 462 days ago, I lost my 16-year-old son to what was ruled a fentanyl poisoning. There is no amount of money that can fill the void from the loss of my child. My hope is that we do what we can to fund the strengthening education. The DEA has pointed out that fentanyl is laced with all street drugs. Fentanyl is in all drugs. I didn't have the tools to tell my son that fentanyl was out there and it could kill him. A teen dies of an overdose every two weeks. The current substance abuse curriculum is far too generalized for the youth to whom it is presented. Investing in statewide opioid prevention with the annual education for seventh and ninth graders will have the cost-benefit that our state has already made with the prevention coalition. We are

all willing to help. Investing in prevention. Prevention works. Lives will be saved.

Persons Testifying (Ways & Means): PRO: Senator Lisa Wellman, Prime Sponsor; Salim Nice, Mayor Mercer Island; Maddy Thompson; maria Petty; Aayush Muthuswamy, Seattle Public Schools ; LINDA THOMPSON, Washington Association for Substance misuse and Violence Prevention (WASAVP).

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.