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HOUSE BILL 2106

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State of Washington

53rd Legislature

1993 Regular Session

By Representatives R. Meyers, Sheldon and Pruitt

Read first time . Referred to Committee on .

1 AN ACT Relating to handling of medical waste generated by any  
2 source or discarded in a manner creating a potential health and safety  
3 hazard; adding a new section to chapter 70.95K RCW; creating a new  
4 section; and making an appropriation.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that the improper  
7 storage, labeling, collecting, handling, transfer, transportation,  
8 recycling, and disposal of medical wastes, and the improper discarding  
9 of medical wastes, poses a potential health risk and perceived threat  
10 to medical waste generators, the public, and workers in the waste and  
11 recycling industry. The legislature further finds that the public and  
12 workers in the waste and recycling industry have a different and more  
13 dangerous perception of health and safety risks associated with medical  
14 waste than do many jurisdictional health departments. The legislature  
15 further finds that a uniform state-wide handling policy for medical  
16 waste will reduce public confusion, enhance public and worker  
17 confidence, and provide a state-wide standard which will apply equally  
18 and uniformly to public agencies, generators, waste handlers and  
19 recyclers, transporters, and disposal facilities.

1 It is the purpose of this act that the department of health  
2 develop, adopt, and coordinate a uniform medical waste handling  
3 standard among the various state and local agencies, boards, councils,  
4 and commissions that have jurisdiction for one or more aspects of the  
5 labeling, storage, collection, handling, transfer, recycling,  
6 transportation, or disposal of medical wastes. To the fullest extent  
7 possible the department of health shall utilize existing private and  
8 public practices and procedures and the existing rules of state  
9 agencies, and not develop a new, separate scheme that could be costly  
10 and may place unfair and new burdens on the generating, transporting,  
11 or disposing entities.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.95K RCW  
13 to read as follows:

14 (1) The department of health, in consultation with and cooperation  
15 from the department of ecology, the utilities and transportation  
16 commission, and other appropriate local, state, and federal agencies,  
17 shall adopt a uniform state standard for the storage, labeling,  
18 collection, handling, transfer, transportation, recycling, and disposal  
19 of medical waste whether generated from a residential or commercial  
20 source, or found improperly discarded. The rules shall be drafted and  
21 made available for comment by interested and concerned parties no later  
22 than December 1, 1993. The department shall prepare the draft and file  
23 the proposed rules under the administrative procedure act for an  
24 effective date in March 1994.

25 (2) The purpose of the rules is to provide uniformity in the  
26 handling of medical waste throughout the state and for enforcement by  
27 a variety of state and local agencies with medical waste handling  
28 responsibilities.

29 (a) The rules shall provide a state-wide, uniform standard to be  
30 enforced by every jurisdictional health department.

31 (b) The department of ecology shall review chapter 173-304 WAC to  
32 insure compatibility of existing rules with the rules required by this  
33 section.

34 (c) The utilities and transportation commission shall review  
35 chapter 480-70 WAC to insure compatibility of existing rules with the  
36 rules required by this section.

37 (d) The department of health shall review existing rules of state  
38 agencies, boards, councils or commissions, and local jurisdictional

1 health departments and local solid waste managers, either having rules,  
2 ordinances, resolutions, or policies affecting the storage, labeling,  
3 packaging, handling, transportation, transfer, recycling,  
4 transportation, sale, or disposal of medical wastes for consistency and  
5 compatibility with the uniform medical waste rules required by this  
6 section. The department, should it find inconsistent rules,  
7 ordinances, policies, or resolutions, shall report such inconsistencies  
8 in a report to the senate committee on ecology and parks, the house of  
9 representatives committee on environmental affairs, and the legislative  
10 transportation committee. The report shall be available to any  
11 interested and concerned member of the public, a public agency, or  
12 private party by March 30, 1994.

13 (e) Acting together and cooperatively the departments of health and  
14 ecology and the utilities and transportation commission shall determine  
15 how the rules required by this section will be applied to solid waste  
16 collection companies whether: (i) Regulated by the utilities and  
17 transportation commission; or (ii) holding a recycling contract with a  
18 county or a municipal solid waste utility.

19 (3)(a) The rules shall govern and coordinate the proper handling of  
20 medical wastes, and shall include at a minimum how the wastes are to be  
21 labeled, stored, packaged, handled, transported, transferred, recycled,  
22 and disposed, as well as how enforcement is to be coordinated.

23 (b) The rules shall also address the handling of sharps and other  
24 medical wastes found, for example, in school yards, parks, beaches,  
25 sidewalks, streets and alleys, playgrounds, and other places where they  
26 pose an unknown threat to the health and safety of the public. The  
27 departments of health and ecology and the utilities and transportation  
28 commission, with the cooperation of the private and public sectors,  
29 shall adopt rules and make recommendations to be publicized regarding  
30 the safest course of action when improperly disposed or packaged  
31 medical waste is found by any private person or public agency.

32 (4) The department of health is encouraged to consult with  
33 interested and concerned parties in the development of these rules.  
34 The department of health is further encouraged to utilize the research  
35 and information generated by the department of ecology and the  
36 utilities and transportation commission from their previous medical  
37 waste activities.

1        NEW SECTION.    **Sec. 3.**    The sum of one hundred thousand dollars, or  
2 as much thereof as may be necessary, is appropriated for the biennium  
3 ending June 30, 1995, from the solid waste management account to the  
4 department of health for the purposes of adopting the rules required by  
5 section 2 of this act.

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