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## Human Services Committee

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### SSB 5252

**Brief Description:** Addressing correctional facility policies regarding medication management.

**Sponsors:** Senate Committee on Human Services & Corrections (originally sponsored by Senators Brandland, Hargrove and Shin).

#### Brief Summary of Substitute Bill

- Requires the Washington Association of Sheriffs and Police Chiefs (WASPC) to convene a jail medication management work group to develop a model policy regarding the management of medications in jails; a final model policy shall be presented to the WASPC for adoption or rejection by December 31, 2009.
- Provides that the State Board of Pharmacy will have no authority to regulate or establish standards regarding a jail that does not operate, in whole or part, a pharmacy.
- Allows non-medical jail staff to deliver or administer medications for inmates in their custody if certain conditions are met and adds new definitions to the County and Jails Act, 70.48 RCW.

**Hearing Date:** 3/18/09

**Staff:** Linda Merelle (786-7092)

#### **Background:**

Washington has 57 jails throughout its counties and cities. Most of those jails do not have in-house pharmacies. The State Board of Pharmacy (Board) has the power to regulate the practice of pharmacy and to establish qualifications for licensure of pharmacists or pharmacy interns. The ability of non-medical jail personnel to distribute or administer medication, including over-the-counter medication, is limited.

#### **Summary of Bill:**

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

### Work Group.

Washington Association of Sheriffs and Police Chiefs (WASPC) shall convene a jail medication management work group to develop a model policy regarding the management of medications in jails. Management issues to be addressed will include, among others:

- the delivery of pharmaceutical services;
- the delivery and administering of medications;
- qualifications and training of jail personnel;
- maintenance of medication storage and delivery systems; and
- preventing unauthorized use of medications by anyone other than the intended patient.

The work group shall address medication management for jails that do not have an on-site pharmacy and do not operate a pharmacy. The work group will consult with the Washington State Pharmacy Association, the Board of Pharmacy (Board), the Department of Health, and members of the nursing community. The work group shall present a final model policy to the WASPC for adoption or rejection by December 31, 2009.

### State Pharmacy Board.

A new section will be added to the statutory provisions regarding pharmacists. Under that section, the Board will have no authority to regulate or establish standards regarding a jail that does not operate, in whole or part, a pharmacy.

### County and Jails Act.

New definitions are added to the County and Jails Act regarding administering and delivering medication to inmates by non-medical jail staff. Jails would be permitted to deliver or administer medications and medical assistance for inmates in their custody if they meet certain conditions, including the requirements that jail administrators:

- enter into an agreement with a licensed pharmacist, pharmacy, or other licensed practitioner or health care facility to provide access to pharmaceutical services 24 hours per day;
- adopt policies which address the designation and training of non-medical jail personnel who may deliver or administer medications or provide medical assistance; and
- seek input from one or more pharmacists or licensed physicians in developing its policies.

If no funding is provided for the work group specified in section 1 of the bill, that section will become null and void.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed. However, section 1 is null and void unless specifically funded in the budget.