

ESSB 5048 - H AMD TO H AMD (H-2540.1/17) **385**

By Representative Stokesbary

SCOPE AND OBJECT 03/30/2017

1 On page 105, line 18, increase the general fund state
2 appropriation for fiscal year 2018 by \$100,000

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4 On page 106, line 12, correct the total.

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6 On page 113, after line 3, insert the following:

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8 "(33) \$100,000 of the general fund--state appropriation for
9 fiscal year 2018 is provided solely for the department to implement
10 rules by December 31, 2017 regarding the siting and operation of
11 safe-injection sites that allow the consumption or injection of
12 federally regulated illegal controlled substances, except those
13 substances that a person may lawfully possess under state law.

14 (a) The rules implemented by the department must have provisions
15 that prohibit safe-injection sites operated within one mile of any
16 elementary or secondary school, playground, recreation center or
17 facility, child care center, public park, public transit center,
18 library, game arcade, or any facility where children are likely to
19 be present.

20 (b) The rules must require that:

21 (i) Upon each visit to an injection site and prior to any
22 injections, a person must undergo at least one hour of drug
23 counseling by a certified chemical dependency professional; the drug
24 counselor must meet the certification requirements pursuant to
25 chapter 246-811 WAC;

26 (ii) The sites maintain an appropriate supply of drugs that
27 prevent the effects of the illegal substance, help cure opioid

1 substance abuse disorder, and that block the effects of the drug in
2 the event of an overdose;

3 (iii) The sites meet minimum staffing ratios of at least two
4 health professionals per visitor, one of whom must be a physician;
5 and

6 (iv) Staff be allowed to take uninterrupted meal and rest
7 periods that are not intermittent and that staff may not be required
8 to work overtime.

9 (c) The rules must require bi-weekly reporting to the
10 department regarding the number of individuals served, the services
11 provided, and the cost of providing such services, including an
12 apportionment of all reasonable operating expenses per person
13 served. The report must also include the outcomes of the service,
14 such as whether the person served returned for an injection or for
15 other services, the number of instances where naloxone was
16 administered, and the number of fatalities at the site.

17 (d) The rules may not allow for any existing-use exemptions.

18 (e) The rules must provide for penalties for violation of the
19 provisions regarding the siting and the operational requirements
20 specified by the department.

21 (f) The department has authority to adopt emergency rules to
22 implement the requirements of this subsection."

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EFFECT: Requires the Department of Health (DOH) to
implement rules by December 31, 2017 regarding the siting and
operation of safe-injection sites, and the DOH is authorized to
engage in emergency rulemaking. The rules must address the
specified on-site counseling, staffing, and reporting requirements.
The DOH may not exempt sites already in existence on the effective
date of the rules, and the rules must provide for penalties, upon
violation.

FISCAL IMPACT:

Increases General Fund - State by \$100,000.

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