
HOUSE BILL 2396

State of Washington

68th Legislature

2024 Regular Session

By Representatives Mosbrucker, Davis, Couture, Rule, Barkis, Jacobsen, and Pollet

Read first time 01/16/24. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to fentanyl and other synthetic opioids; adding
2 new sections to chapter 43.70 RCW; adding a new section to chapter
3 70.48 RCW; creating new sections; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

6 (a) Fentanyl is a synthetic opioid that is up to 50 times
7 stronger than morphine and is a major contributor to fatal and
8 nonfatal overdoses in the United States;

9 (b) There are two types of fentanyl: Pharmaceutical fentanyl and
10 illegally made fentanyl;

11 (c) Fentanyl and other synthetic opioids are causing a public
12 health crisis in Washington;

13 (d) Addiction, overdoses, and deaths caused by fentanyl and other
14 synthetic opioids are on the rise, and health care and treatment
15 systems are becoming overextended;

16 (e) The true extent of this public health epidemic is not known
17 due to toxicology screenings, that are sensitive to fentanyl and
18 other synthetic opioids, not being broadly used by hospitals;

19 (f) Increasing outreach programs warning individuals about the
20 negative health effects of fentanyl misuse and abuse is necessary to
21 help curb the public health crisis;

1 (g) The misuse and abuse of fentanyl and other synthetic opioids
2 is also having negative ancillary health effects on individuals who
3 are not using the substances, including individuals who unknowingly
4 operate, or are passengers in, automobiles contaminated with the
5 residue of fentanyl or other synthetic opioids; and

6 (h) More should be done to connect individuals who are arrested
7 while intoxicated on fentanyl or other synthetic opioids with needed
8 health care and treatment services.

9 (2) The legislature therefore intends to address this public
10 health issue by:

11 (a) Creating a grant program to encourage hospitals to use
12 toxicology screenings capable of detecting fentanyl and other
13 synthetic opioids;

14 (b) Establishing a "Not Even Once" public outreach campaign to
15 warn Washington citizens of the health dangers of misusing or abusing
16 fentanyl and other synthetic opioids;

17 (c) Studying the health risks of, and mitigation strategies for,
18 the residue of fentanyl or other synthetic opioids in automobiles;
19 and

20 (d) Increasing the likelihood that individuals will seek
21 necessary substance abuse disorder treatment by offering to connect
22 them with treatment upon release from custody in jail.

23 (3) This act may be known and cited as Ivan's law.

24 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.70
25 RCW to read as follows:

26 (1) Subject to the availability of amounts appropriated for this
27 specific purpose, the department shall administer a grant program to
28 encourage hospitals to use toxicology screenings capable of detecting
29 fentanyl and other synthetic opioids. When awarding grants under this
30 section, the department shall prioritize grants to hospitals not
31 currently using toxicology screenings capable of detecting fentanyl
32 and other synthetic opioids and hospitals designated as critical
33 access hospitals.

34 (2) The department shall establish an application process and any
35 other procedures necessary to administer the grant program. The
36 department may adopt any rules necessary to implement this section.

37 (3) Beginning January 1, 2025, the department shall submit annual
38 reports to the appropriate committees of the legislature on any
39 grants awarded under this section in the preceding calendar year.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.70
2 RCW to read as follows:

3 (1) Subject to the availability of amounts appropriated for this
4 specific purpose, the department shall develop and operate a public
5 outreach campaign to deliver public service announcements that
6 explain and clarify certain risks related to the misuse of fentanyl
7 and other synthetic opioids, including the risk of overdose,
8 addiction, respiratory depression, or oversedation. When appropriate,
9 the campaign must use the phrase "Not Even Once."

10 (2) The materials produced by the campaign in subsection (1) of
11 this section must be localized and targeted towards identifiable
12 communities as deemed necessary by the department for the purpose of
13 improving the efficacy of communication. Any written materials must
14 be presented in a manner easily understood by the public. The
15 department may use a multimedia approach and create materials across
16 different formats.

17 (3) The department may coordinate with the health care authority,
18 the department of social and health services' division of behavioral
19 health and recovery, the office of the superintendent of public
20 instruction, and other agencies and departments deemed necessary by
21 the department.

22 NEW SECTION. **Sec. 4.** (1) Subject to the availability of amounts
23 appropriated for this specific purpose, the Washington association of
24 sheriffs and police chiefs must study and report on the presence and
25 associated dangers of fentanyl residue or other synthetic opioid
26 residue in certain vehicles. The report must include a study and
27 recommendations on:

28 (a) Whether and how often residue from fentanyl or other
29 synthetic opioid use is present in vehicles described in subsection
30 (2) of this section in concentration levels sufficiently high enough
31 to cause harm to the health and well-being of any occupant of the
32 vehicle;

33 (b) The feasibility of developing and implementing standardized
34 protocols and procedures that would require law enforcement to test
35 for the presence of fentanyl residue or other synthetic opioid
36 residue in a vehicle described in subsection (2) of this section; and

37 (c) Potential options by which the cost of developing and
38 implementing the protocols and procedures under (b) of this
39 subsection may be defrayed.

1 (2) This section applies to the following:

2 (a) Stolen vehicles that have been found and recovered by law
3 enforcement; and

4 (b) Vehicles seized by law enforcement that will be subject to a
5 police auction.

6 (3) The Washington association of sheriffs and police chiefs may
7 contract with a consultant to complete the study and report under
8 this section.

9 (4) The Washington association of sheriffs and police chiefs
10 shall report its findings and recommendations to the governor and the
11 appropriate committees of the legislature by July 1, 2025.

12 (5) This section expires August 1, 2025.

13 NEW SECTION. **Sec. 5.** A new section is added to chapter 70.48
14 RCW to read as follows:

15 When a jail releases any individual from custody, it must provide
16 the individual with information regarding the availability of
17 substance use disorder treatment programs relating to addictions to
18 fentanyl and other synthetic opioids, including assessment and
19 services available under RCW 10.31.110 or another program or entity
20 responsible for receiving referrals, such as the recovery navigator
21 program established under RCW 71.24.115.

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