
Health Care & Wellness Committee

SSB 5917

Brief Description: Improving access to abortion medications.

Sponsors: Senate Committee on Human Services (originally sponsored by Senators Bateman, Frame, Alvarado, Cleveland, Conway, Hasegawa, Liias, Nobles, Orwall, Pedersen, Saldaña, Salomon, Stanford, Valdez and Wilson, C.; by request of Women's Commission).

Brief Summary of Substitute Bill

- Removes requirements that the Department of Corrections (DOC) sell the abortion medications it possesses at a certain cost and instead allows, but does not require, the DOC to obtain payment for any abortion medications it distributes.
- Modifies the definition of "abortion medications" for these purposes to specifically include misoprostol.

Hearing Date: 2/18/26

Staff: Kim Weidenaar (786-7120).

Background:

Washington State Department of Corrections.

The Department of Corrections (DOC) provides medically necessary health and mental health care to incarcerated individuals at all DOC facilities in Washington. Pharmacy services are provided from a DOC centralized pharmacy located in Centralia and prescription drugs are shipped to state prisons across the state.

The DOC is authorized to acquire, possess, sell, deliver, dispense, and distribute abortion medications. The DOC may exercise this authority for the benefit of any person, regardless of

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whether the person is in the DOC's custody. In 2023, the DOC purchased 30,000 doses of mifepristone and in January 2025 the DOC purchased 17,600 additional doses of mifepristone and 155,000 doses of misoprostol. In circumstances where the DOC is selling, delivering, or distributing abortion medications to a health care provider or entity, the DOC may only sell the abortion medications to health care providers or entities that will only use the medications for providing abortion care or medical management of early pregnancy loss. Any abortion medications delivered, dispensed, or distributed must be sold at cost, not to exceed list price, plus a fee of \$5 per dose to offset the cost of secure storage and delivery of medication. During the 2025 fiscal year, any abortion medications delivered, dispensed, or distributed must be sold at cost not to exceed list price. All revenue generated from the fee must be deposited into the State General Fund. Abortion medications are defined for these purposes as substances used in the course of medical treatment intended to induce the termination of a pregnancy, including mifepristone.

Mifepristone.

Mifepristone, sold as Mifeprex, and its generic are approved in a regimen with misoprostol, to end an intrauterine pregnancy through 10 weeks gestation. The United States Food and Drug Administration (FDA) first approved Mifeprex in 2000 and approved the generic version in 2019. A Risk Evaluation and Mitigation Strategy (REMS) is a drug safety program that the FDA can require for certain medications with serious safety concerns to support safe use of the medication. Mifeprex and mifepristone tablets are available under a single, shared REMS, which sets forth the requirements that must be followed for medical termination of pregnancy through 10 weeks gestation.

Misoprostol.

Misoprostol is a synthetic prostaglandin that works by "replacing" prostaglandins. Misoprostol has a number of uses including reducing stomach acid and protecting the stomach lining from certain damage, inducing labor in certain circumstance, and treating post-partum hemorrhage. Misoprostol is also used in combination with mifepristone to end early pregnancy and to treat early pregnancy loss.

Summary of Bill:

The DOC must coordinate with the Department of Health to identify appropriate recipients of the abortion medications and prioritize bulk distribution to health care providers, Indian health care providers, and health care entities. The DOC may (and is no longer required to) obtain payment for delivering, dispensing, or distributing abortion medications.

The DOC may only sell, deliver, dispense, or distribute abortion medications to health care providers or entities that will only use the medications for providing reproductive health care, including for providing abortion care or medical management of early pregnancy loss. The definition of "abortion medications" is expanded to include the management of the full spectrum of reproductive health care and to specifically include misoprostol.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.