

FINAL BILL REPORT

SHB 2396

C 309 L 24
Synopsis as Enacted

Brief Description: Concerning fentanyl and other synthetic opioids.

Sponsors: House Committee on Health Care & Wellness (originally sponsored by Representatives Mosbrucker, Davis, Couture, Rule, Barkis, Jacobsen and Pollet).

House Committee on Health Care & Wellness
Senate Committee on Health & Long Term Care

Background:

Synthetic opioids are artificially created substances that act on the same neurological processes as natural opioids, which are based on naturally occurring substances derived from the poppy plant. Some synthetic opioids, like methadone and fentanyl, are approved for medical use, but must be prescribed by an authorized health care provider.

Unlawful possession of a controlled substance, including synthetic opioids like fentanyl, is a gross misdemeanor. It is also a gross misdemeanor to knowingly use a controlled substance in public without a valid prescription. When a law enforcement officer has reasonable cause to believe an individual has committed a crime, the officer is authorized and encouraged to refer that individual to specified alternatives to arrest if the individual has a known history or consultation with the behavioral health system. Those alternatives include crisis stabilization, crisis relief, and outpatient treatment.

The Health Care Authority (HCA) is required, through the biennial budget, to conduct various opioid awareness campaigns for various purposes, including harm reduction, overdose prevention, secondary prevention, and youth prevention. The HCA is required to consult with the Department of Health when conducting these public awareness efforts.

Summary:

Public Awareness Campaigns.

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

When conducting a public outreach campaign on the dangers of fentanyl and other synthetic opioids the Department of Health (DOH) must, if appropriate and practicable, ensure that campaign materials are culturally appropriate, accessible in other languages, and accessible to the deaf and blind communities. When designing a public outreach campaign, the DOH must consider using the phrase "Not Even Once" where appropriate.

Decontaminating Motor Vehicles.

Subject to appropriated funds, the DOH, in consultation with the Washington Poison Center, must compile resources on how to decontaminate motor vehicles of fentanyl residue or the residue of other synthetic opioids. By January 1, 2025, the DOH must make the materials available to law enforcement agencies for the purpose of providing them to individuals who recover a stolen vehicle or purchase a vehicle seized by a law enforcement agency.

Providing Information to Individuals in Custody.

When a jail releases any individual from custody, it must provide the individual with information on the availability of substance use disorder treatment programs relating to addictions to fentanyl and other synthetic opioids, including the services that law enforcement officers are encouraged to offer individuals suspected of committing crimes.

Short Title.

The act may be known and cited as "Ivan's Law."

Votes on Final Passage:

House	95	0	
Senate	49	0	(Senate amended)
House	96	0	(House concurred)

Effective: June 6, 2024