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**SENATE BILL 5236**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senator Slatter

1 AN ACT Relating to emissions of greenhouse gases used for  
2 anesthetic purposes; adding a new section to chapter 43.21A RCW; and  
3 creating new sections.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that a great  
6 deal of emphasis in greenhouse gas emissions policymaking in the  
7 state has appropriately focused on reducing sources of carbon  
8 dioxide, methane, and refrigerant gases, which remain the most  
9 significant types of greenhouse gases emitted in the state. However,  
10 the legislature also finds it prudent not to overlook meaningful  
11 opportunities to reduce emissions of other types of greenhouse gases  
12 from more niche sources such as anesthetic gases.

13 (2) The legislature finds that gases used as an anesthetic in  
14 medical, dental, and veterinary contexts, including desflurane,  
15 isoflurane, sevoflurane, halothane, and nitrous oxide, are potent  
16 greenhouse gases. Efforts in the medical community are already  
17 underway to minimize the emissions from these gases, including by  
18 national and international anesthesiologist associations. In other  
19 jurisdictions, including Scotland and England, efforts are also  
20 underway to phase out the use of the anesthetic gases with the  
21 greatest potential greenhouse gas emissions.

1 (3) Therefore, it is the intent of the legislature to reduce  
2 emissions from these sources of greenhouse gases, in spite of their  
3 obscurity, by:

4 (a) Studying these gases; and

5 (b) Developing guidance to reduce emissions of greenhouse gases  
6 used for anesthetic purposes.

7 NEW SECTION. **Sec. 2.** (1) The department of ecology must  
8 commission a study to be completed by July 1, 2026, that:

9 (a) Determines the potential sources of gases with a high global  
10 warming potential that are used for anesthetic purposes within  
11 Washington;

12 (b) Determines how these gases are used in Washington;

13 (c) Estimates the quantity of emissions;

14 (d) Recommends potential points of regulation for each of these  
15 gases; and

16 (e) Recommends measures for reducing or eliminating emissions of  
17 these gases.

18 (2) By October 1, 2026, the department of ecology, in  
19 consultation with the department of health and considering the  
20 results of the study commissioned under subsection (1) of this  
21 section, must submit recommendations to the appropriate committees of  
22 the legislature regarding any further statutory changes needed in  
23 order to appropriately and effectively reduce greenhouse gas  
24 emissions associated with the use of anesthetic gases, including any  
25 recommendations to prohibit the manufacture, distribution, sale, or  
26 use of specific anesthetic gases. The department of ecology must  
27 note, in the report to the legislature under this section, any  
28 recommendations that the department of health does not endorse and  
29 must provide an opportunity for the department of health to share  
30 their opinions on such matters as an appendix to the recommendations.

31 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.21A  
32 RCW to read as follows:

33 (1) By January 1, 2027, the department must develop and publish a  
34 guidance document intended to reduce greenhouse gas emissions  
35 associated with the use of gases with a high global warming potential  
36 that are used for anesthetic purposes in medical, dental, veterinary,  
37 or other similar facilities and settings. Gases subject to the  
38 guidance document must include, at minimum: Sevoflurane; desflurane;

1 isoflurane; halothane; and nitrous oxide. In developing the guidance  
2 document, the department of ecology must consult with the department  
3 of health, and solicit the input from the following:

4 (a) The state board of health;

5 (b) The Washington medical commission;

6 (c) The Washington state board of nursing;

7 (d) The dental quality assurance commission;

8 (e) The board of osteopathic medicine and surgery;

9 (f) The veterinary board of governors;

10 (g) The University of Washington and Washington State University;

11 (h) Associations representing medical, dental, or veterinary  
12 practitioners that use anesthetic gases;

13 (i) Associations representing facilities at which anesthetic  
14 gases are used;

15 (j) Environmental organizations with a focus on efforts to reduce  
16 greenhouse gas emissions; and

17 (k) Subject matter experts with knowledge of the most efficient  
18 and effective methods to reduce greenhouse gas emissions from  
19 anesthetic gas use.

20 (2) In developing the guidance document, the department must  
21 consider:

22 (a) The efforts of other jurisdictions, including those in  
23 Europe, to restrict the use of high global warming potential  
24 greenhouse gases or to otherwise reduce greenhouse gas emissions  
25 associated with the use of anesthesia;

26 (b) The guidance documents or best practices prepared by national  
27 and international anesthesiology professionals, including the  
28 American society of anesthesiologists, the world federation of  
29 societies of anaesthesiologists, and the association of anesthesiologists;  
30 and guidance documents published in peer-reviewed medical journals;

31 (c) Existing practices in place at facilities and by  
32 practitioners in Washington to limit greenhouse gas emissions  
33 associated with anesthesia use;

34 (d) Input related to professional liability and medical procedure  
35 risks associated with the implementation of alternative anesthetic  
36 options intended to lower greenhouse gas emissions associated with  
37 the use of anesthetic gases; and

38 (e) Any additional financial considerations in the use of changes  
39 intended to reduce emissions of anesthetic gases.

1           (3) The goal of the guidance document must be to reduce  
2 greenhouse gas emissions associated with the use of anesthetic gases,  
3 but without limiting the judgment or needs of medical, dental, or  
4 veterinary professionals in providing safe and effective care, while  
5 allowing flexibility for extenuating clinical circumstances when, in  
6 the opinion of the medical professional, unrestricted use of  
7 anesthetic gases is needed for patient safety and comfort. Nothing in  
8 the guidance document may be construed to require a facility or  
9 practitioner to provide medical care in a manner that increases  
10 medical procedure or professional liability risks in the judgment of  
11 the facility owner or operator or the medical professional.

12           (4) By January 1, 2028, facilities at which anesthetic gases are  
13 used, and the medical, dental, or veterinary practitioners that use  
14 such gases, may only use anesthesia in a manner consistent with the  
15 guidance document published under this section. The department may  
16 not issue penalties under this section to a facility owner or  
17 operator of a practitioner for a failure to follow the guidance  
18 document.

19           NEW SECTION.     **Sec. 4.**    If any provision of this act or its  
20 application to any person or circumstance is held invalid, the  
21 remainder of the act or the application of the provision to other  
22 persons or circumstances is not affected.

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