
HOUSE BILL 1796

State of Washington

61st Legislature

2009 Regular Session

By Representatives Goodman, Green, and Ormsby

Read first time 01/29/09. Referred to Committee on Public Safety & Emergency Preparedness.

1 AN ACT Relating to drug-related overdose prevention and treatment;
2 and adding new sections to chapter 69.50 RCW.

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

4 NEW SECTION. **Sec. 1.** (1) A person who, in good faith, seeks
5 medical assistance for someone experiencing a drug-related overdose
6 shall not be charged or prosecuted for possession of a controlled
7 substance pursuant to RCW 69.50.4013 if the evidence for the charge of
8 possession of a controlled substance was gained as a result of seeking
9 medical assistance.

10 (2) A person who experiences a drug-related overdose and is in need
11 of medical assistance shall not be charged or prosecuted for possession
12 of a controlled substance pursuant to RCW 69.50.4013 if the evidence
13 for the charge of possession of a controlled substance was gained as a
14 result of the overdose and the need for medical assistance.

15 (3) A good faith act of seeking medical assistance for someone who
16 is experiencing a drug-related overdose may be used as a mitigating
17 factor in a criminal prosecution under this chapter.

1 NEW SECTION. **Sec. 2.** (1) The administering, dispensing,
2 prescribing, purchasing, acquisition, possession, or use of naloxone
3 shall not constitute unprofessional conduct under chapter 18.130 RCW,
4 or be in violation with any provisions under this chapter or any other
5 chapter of this state, by any practitioner or person, if the
6 unprofessional conduct or violation results from a good faith effort to
7 assist:

8 (a) A person experiencing, or likely to experience, an
9 opiate-related overdose; or

10 (b) A family member, friend, or other person in a position to
11 assist a person experiencing, or likely to experience, an
12 opiate-related overdose.

13 (2) Any person acting in good faith may receive a naloxone
14 prescription, possess naloxone, and administer naloxone to an
15 individual suffering from an apparent opiate-related overdose.

16 NEW SECTION. **Sec. 3.** Sections 1 and 2 of this act are each added
17 to chapter 69.50 RCW.

--- END ---