

2016 Board of Health Legislative Agenda – Related Bills

Issue	Bills Currently Under Consideration		
Mental Health/Substance Abuse System Reform	HB1713	Integrating the treatment systems for mental health and chemical dependency.	The Adult Behavioral Health Task Force was established by the legislature in 2014 to make recommendations on: service delivery for adults with mental illness and chemical dependency disorders; availability of effective means to promote recovery and prevent harm associated with mental illness; crisis services, including boarding of mental health patients outside of regularly certified treatment beds; best practices for cross-system collaboration; and public safety practices.
	HB1916	Integrating administrative provisions for chemical dependency and mental health	Addresses the integration of chemical dependency and mental health administrative provisions.
Substance Abuse Treatment	HB1673 /SB5245	Concerning substance abuse prevention and treatment programs funded by the marijuana excise tax.	I502 provides that some of the revenue from marijuana sales go to DSHS for substance abuse prevention and treatment programs, requiring that the programs be evidence-based and cost-effective. This bill delays the cost-effective requirement until 2020 and calls on DSHS to work with WSIPP to established definition/criteria for cost-effectiveness.
	HB2132	Concerning naloxone	Requires the department of health to establish a naloxone access grant program to distribute funds to local health jurisdictions to purchase naloxone and distribute it to persons at highest risk for opioid overdose. Imposes a fee of ten cents on each sale at retail of prescription opioids. Creates the naloxone access account.
	HB2464	Abuse-deterrent opioids	Requires a health plan issued or renewed on or after January 1, 2017, that includes coverage for prescription drugs to provide coverage for at least one abuse-deterrent opioid analgesic drug product per opioid analgesic active ingredient on its formulary, drug list, or other similar list.
	SB5078	Funding recovery programs for persons with mental illness and chemical dependency disorders.	Requires twenty-two percent of the funds distributed to the basic health plan trust account from marijuana excise taxes and certain fees, penalties, and forfeitures from marijuana producer, processor, and retailer licenses to be used to fund evidence-based or research-based, intensive community interventions shown to promote recovery and reduce the need for inpatient hospitalization for persons with mental illness, persons with co-occurring mental illness and chemical dependency disorders, or both.
	SB5695	Addressing health insurance coverage for abuse-deterrent opioid analgesic drugs	All health plans issued or renewed on or after January 1, 2016, that include coverage for prescription drugs must provide coverage for abuse-deterrent opioid analgesic drugs as preferred drugs on their formulary, preferred drug list, or other lists of similar construct.

Electronic Cigarette (Vaping) Regulation	HB1458 /SB5494 and HB2313 /SB6157	Concerning the age of individuals at which sale or distribution of tobacco and vapor products may be made.	Raising the minimum legal age to purchase tobacco and vapor products to 21 years of age.
	HB1645 /SB5573	E-cigarettes and tobacco omnibus bill	Support implementation of a license requirement and fee on electronic cigarette retailers; compliance checks and fine structure for illegal sales; taxing of e-cigarettes and vaping liquids; restricting use of flavors; and requiring child proof packaging and warning labels. Guard against local preemption. Increase license fees and fines associated with the sale of tobacco products. All revenues allocated to enforcement and education/prevention programs.
	HB2211	Concerning vapor products, e-cigarette, and nicotine products tax and regulatory reform to support youth substance prevention.	Regulates vapor products, e-cigarettes, and nicotine products. Imposes a tax on the sale, use, consumption, handling, possession, or distribution of all vapor products in this state. Creates the essential public health services account. Requires the department of health to use the money in the account for the following purposes: (1) To fund essential governmental public health services; (2) To fund tobacco control and prevention and other substance use prevention and education; (3) To strengthen and support public health system capabilities, including accredited higher education public health programs; and (4) Enforcement by the liquor control board.
	HB2588 /SB6328	Vapor products	Concerning vapor products in respect to provisions concerning certain child-resistant packaging, definitions related to "vapor product," signage requirements prohibiting vapor product sales to minors, prohibition of the purchase and possession of vapor products by minors, the liquor and cannabis board's enforcement authority over vapor products, preemption of certain local regulation of vapor products, and a requirement for vendor-assisted sales of vapor products in retail establishments.
	SB5124	Prohibiting sale of vapor products to minors	Modifies definitions related to vapor products in prohibition on sales to minors: For the purposes of this section, "vapor product" means a noncombustible ((tobacco-derived)) product ((containing nicotine)) that employs ""a device, not including a medical device"", containing a mechanical heating element, battery, or circuit, regardless of shape or size, that can be used to heat a liquid ((nicotine solution)) contained in cartridges ""for the purpose of direct inhalation of the resultant vapor"". Vapor product does not include ""a product designed solely to produce an ambient aroma or"" any product that is regulated by the United States food and drug administration under chapter V of 1 the federal food, drug, and cosmetic act. Concerns with definition of a 'medical' device.
	SB5477	Packaging requirements for vaping products	Requires childproof packing on vaping products, including electronic cigarettes and cartridges and requires warning labels on the products and in advertising: (a) Warning regarding the harmful effects of nicotine; and (b) warning to keep away from children.

	SB5917	Establishing special license endorsements for cigar lounges and retail tobacconist shops.	Holders of a tobacco products retailer's license may apply for a special endorsement as a cigar lounge or retail tobacconist shop. Lounge must be physically separated from any areas of the same or adjacent location where smoking is prohibited under state law; employees must sign acknowledgement of risk; min. \$25K gross sales of tobacco products; caps the number allowed in the state; excludes lounges from SIPP.
Immunizations	HB2009	Concerning exemptions from immunizations for school-age children	The bill removes this current exemption from immunization requirements: A written certification signed by any parent or legal guardian of the child or any adult in loco parentis to the child that the signator has either a philosophical or personal objection to the immunization of the child.
	SB5413	Concerning the availability of childhood immunization resources for expecting parents	The Department of Health shall develop and make available resources for expecting parents regarding recommended childhood immunizations. The resources are intended to be provided to expecting parents by their health care providers to encourage discussion on childhood immunizations and postnatal care.
Distracted and Impaired Driving	HB2574	Distracted driving	Seeks to bring state cell phone laws into alignment with federal guidelines.
	HB2700	Impaired driving	Strengthens numerous provisions related to impaired driving penalties.
	SB5105	Making a fourth driving under the influence offense a felony.	A person may be charged with felony driving under the influence (DUI) or physical control of a motor vehicle (PC) if the person's criminal record includes three or more, instead of four or more, prior offenses within the applicable time periods. A fourth DUI or PC offense is a class C felony ranked at level IV on the felony sentence grid.
	SB5656	Distracted Driving	Revises existing cell phone laws in order to qualify for federal funds that have been set aside to combat the emerging national problem of distracted driving. Revisions increase restrictions on the use of personal wireless communications devices while driving to reduce unnecessary injuries and deaths. Current law is revised to cover newer devices/technology, remove loopholes and strengthen penalties. Requires the director of the department of licensing to incorporate questions on distracted driving into the driver licensing examination.
Adult Oral Health	HB1027 /HB1441/SB5159	Concerning Indian tribes and dental health aide therapy services.	Authorizes a federally recognized Indian tribe, tribal organization, or urban Indian organization to train, employ, or contract with or for the services of a dental health aide, including a dental health aide therapist. Directs the state health care authority to coordinate with the centers for medicare and medicaid services to ensure the dental health aide services are eligible for maximum federal funding of up to one hundred percent.
	HB1421 /SB5465	Concerning mid-level dental professionals.	Establish mid-level dental providers to provide oral health education, preventive treatments (e.g. dental sealants, fillings, cavity preparation, extractions of primary teeth (kids) and already loose permanent teeth (adults)) under the on- and off-site supervision of a dentist in order to increase access to dental care.

	HB2065 /SB5909	Concerning health care access and medical and dental education.	Requires the University of Washington to increase the number of dental students at its dental program in Spokane from eight students per year to thirty students per year.
	HB2819 /SB6404	Dental practitioner licensure	Changes requirements related to obtaining dental licensure through residency program.
Sick and Safe Leave from Employment	HB1356 /SB5306	Establishing minimum standards for sick and safe leave from employment.	Requires employers with more than four full-time equivalent employees to provide paid leave to employees for: (1) specified medical reasons relating to the employee's or a family member's health; (2) reasons permitted under existing law requiring unpaid leave for purposes related to domestic violence, sexual assault, and stalking; or (3) closure of the employee's place of business or child's school or place of care due to specified public health emergencies.
Educational Opportunities and Learning Environment	HB1295 /SB5437	Concerning breakfast after the bell programs	Establishes a phased-in process for providing breakfast in high-needs schools, allowing for flexibility of eating in classrooms or other breakfast after the bell models. State will provide financial assistance for initial implementation. OSPI to develop guidelines and provide training/technical assistance. OSPI is also to work with nonprofits experienced in dealing with equity issues and seek partnerships with philanthropic organizations.
	HB1541	Educational opportunity gap	Implements various recommendations of the task force, including: 1) for discretionary discipline, schools cannot expel students, only suspend, and must provide alternative learning opportunities during suspension period; 2) requires cultural competency training for teachers and administrations; 3) requires training programs in bi-lingual and English language learner teaching; 4) requires student data to be more detailed in regards to race and ethnicity; and 5) adds cultural competence, bi-lingual teaching and English language learning teaching to teacher education standards.
	HB1568	Dropout prevention	Creates the dropout prevention through farm engagement pilot project for the purpose of measuring the effectiveness and cost-benefit of a particular alternative high school program on improving outcomes for at-risk youth. Requires the office of the superintendent of public instruction to: (1) Select five pilot projects from school districts that agree to partner with community-based organizations, food banks, and farms or gardens to establish an alternative high school program targeted primarily to at risk youth; and (2) Conduct a rigorous evaluation after the pilot projects have been operating for two years, including analysis of a statistical comparison group of students who did not participate in the project.
	HB1591	High school and beyond plans	Requires each student to have a high school and beyond plan to guide the student's high school experience and prepare the student for postsecondary education or training and career. Requires the superintendent of public instruction, in collaboration with a nonprofit organization representing school counselors, to: (1) Develop and disseminate an inventory of best practices for high quality plans; and (2) Provide assistance to school districts in the development and implementation plans.

HB1760 /SB5688	Providing students with skills that promote mental health and well-being and increase academic performance	Requires the superintendent of public instruction to convene a work group to recommend comprehensive social emotional learning benchmarks for grades kindergarten through high school. Requires educational service districts to develop and maintain the capacity to serve as a convener, trainer, and mentor for educators and other school district staff on social emotional learning. Authorizes school districts to use specific funding to develop and update school specific action plans to implement multitiered systems of support frameworks and curriculum aligned with the frameworks.
HB1864	Supporting evidence-based strategies to promote high school graduation	Subject to the availability of funds appropriated for this purpose, the office of the superintendent of public instruction shall develop a comprehensive career and college readiness program model, career guidance Washington, designed to help students make choices through their high school and beyond plans regarding course selection, goal setting, career planning, and postsecondary options, including financial aid.
HB2037	Requiring mental health assessments for K-12 students who were removed from school due to violence or mental health issues	Requires school districts to require a student who was expelled, suspended, or removed from school due to reasons relating to violence or mental health issues to be assessed by an independent, private, third-party mental health professional before the student is readmitted into school.
HB2149	Safe and healthy learning environments	Requires an enhancement of .5 staff to elementary schools dedicated to student physical, mental and social health, including connecting students and their families to housing assistance, employment assistance, counseling, and other community resources.
HB2373 /SB6432	Student mental health	Legislature seeks to provide preventative strategies in schools to increase student mental health and well-being in order to support the education of children. Each educational service district shall develop and maintain the capacity to serve as a convener, trainer, and mentor for educators, administrators, and other school district staff on social and emotional learning. Each educational service district must offer training on social and emotional learning, beginning in the 2017-18 school year, at no cost to school districts or educators if funds are appropriated specifically for this purpose or made available through grants or other sources. The training model and curricula must be based on the recommendations of the office of the superintendent of public instruction's 2016 report. Forms a joint legislative audit and review committee to conduct an inventory of the mental health service models available to students through schools, school districts, and educational service districts and report its findings by October 31, 2016.
HB2449	Reducing truancy	Establishes the keeping kids in school act. Puts in place consistent practices and procedures, beginning in kindergarten, in which schools share information with families about the importance of consistent attendance and the consequences of excessive absences, involves families early, and provides families with information, services, and tools that they may access to improve and maintain their children's school attendance. Requires an initial stay of truancy petition in order to allow for appropriate intervention and prevention before using a court

		order to enforce attendance laws. Encourages efforts by county juvenile courts and school districts to establish and maintain therapeutic truancy boards and employ other best practices. Increases the number of beds in HOPE centers and crisis residential centers in order to facilitate their use for truant students.
HB2513	Truancy petitions and completing assignments	Encourages a court, in conjunction with an order to attend school or certain programs, to order a child to: (1) Complete and submit all required assignments in all of his or her classes; and (2) Submit to the court, on a monthly basis, satisfactory proof that there has been compliance with the requirement to complete and submit all assignments and that the child is showing positive progress toward passing each class at the end of the term.
HB2609	Cultural competence in schools	Enhances existing requirements and adds new requirements for cultural competence training for school staff, teachers, administrators and boards.
HB2669	Physical education requirements	Requires the office of the superintendent of public instruction to develop a competitive grant program for school districts to increase compliance with certain physical education instructional requirements. Requires, for the 2018-2019 and 2019-2020 school years, the physical education instruction for students in kindergarten and grades one through eight to be provided five days per week or the equivalent of one hundred twenty-five minutes per week for the entire school year and beginning with the 2020-2021 school year, the physical education instruction for students in kindergarten and grades one through eight must be provided five days per week or the equivalent of one hundred fifty minutes per week for the entire school year.
SB5745	Implementing Becca task force truancy reform recommendations	Requires parents to receive information about expectations of attendance and dangers of truancy in a form they can understand and requires parents to sign-off on having reviewed the information each year. Requires schools to undertake best practice interventions.
SB6244	Educational opportunity gap	Requires increased collection and breakdown of student demographic information. Subject to appropriation, OSPI will provide one-time start up grants to high-needs schools to expand nutrition programs. Any school receiving a grant must provide nutrition to all students and provide adequate time for students to eat. All schools encouraged to do so and encouraged to explore new ways to provide nutrition. School districts must provide information on disciplinary procedures to students, families and communities. School directors' association will create models procedures for discipline. School districts must adopt consistent procedures by April 2017. Districts cannot use long-term suspension or expulsion for discretionary discipline. Establishes a student loan repayment program for teachers in approved challenging, high poverty schools or an educational service district. Updates educator

		curriculum, including requiring instruction in cultural competence. Establishes a teacher salary bonus program. Requires teachers providing special assistance to students with English as a second language hold special credential.
	SB6298 Homeless student stability act	Establishes the homeless student stability and opportunity gap act. Requires the office of the superintendent of public instruction to create a competitive grant process to evaluate and award state-funded three-year grants to school districts to increase identification of homeless students and the capacity of the districts to provide support, which may include education liaisons, for homeless students. Requires the department of commerce, in consultation with the office of the superintendent of public instruction, to administer a grant program that links homeless students and their families with stable housing located in the homeless student's school district. Requires each school district that has identified more than ten unaccompanied youth to establish a building point of contact in each middle school and high school. Makes appropriations. Provides that this act is null and void if appropriations are not approved.
Homeless Youth	HB1682 Homeless students /SB5065	Creates homeless student education liaisons in school districts (allocation of .23 per 1,000 students in K-12); establishes a competitive grant program for school districts partnering with housing organizations to find stable housing (up to \$500,000 award, max. 15 districts/year - will require appropriation in state budget)
	HB2191 Creating a homeless student housing and educational stability program as a part of basic education.	Establishes a homeless student housing and educational stability program to facilitate the education of all students by: (1) Removing the barriers to learning faced by homeless students; (2) Decreasing the mobility rates that negatively affect the learning of homeless students and their classmates; (3) Increasing student engagement; and (4) Enhancing readiness to learn. Establishes effective partnerships between school districts and eligible organizations to provide housing and educational stability assistance for homeless students and their families.
	HB2396 Access to care for homeless youth	Allows informed consent for health care for a patient under the age of majority to be obtained from a school nurse, a counselor, or a homeless student liaison under certain circumstances.
	SB5932 Creating the office of homeless youth prevention programs	The goal of the Office of Homeless Youth Prevention Programs is to house all homeless youth located in Washington State within one year. The Office must provide management and oversight of HOPE Centers, crisis residential centers, and street youth services. The measurable goals of the Office are to each year: (1) reduce the number of new homeless and runaway youth to zero in ten years, (2) decrease the existing number of homeless youth, (3) measurably increase family reconciliation rates, and (4) decrease youth homelessness to zero.
	SB6298 Homeless student stability act	See details under Educational Opportunities and Learning Environment.