

**AN ORDINANCE ADOPTING A NEW CHAPTER
TO PROVIDE FOR THE REPORTING OF HEALTH CARE INCIDENTS CAUSED BY
AN OPIOID OVERDOSE**

WHEREAS the Skagit County Board of Health has the authority to enact local rules and regulations as are necessary in order to preserve, promote and improve the public health pursuant to RCW 70.050.060, and

WHEREAS Department of Health regulations at WAC 246-101-101 provide reporting requirements for certain diseases and conditions affecting public health and authorizes local health officers to require additional conditions to be notifiable within the local health officer's jurisdiction; and

WHEREAS opioids are psychoactive substances derived from the opium poppy, or their synthetic analogues; and

WHEREAS in 2017, 63,632 Americans died from drug overdoses—47,600 (68%) of those deaths were from opioids; and

WHEREAS illicit opioids are becoming stronger and deadlier with the introduction of fentanyl and other synthetic opioids; and

WHEREAS in 2016, an estimated 2.1 million people in the United States had an opioid use disorder in the past year; and

WHEREAS in 2017, 11 Skagitonians and a total of 693 Washingtonians died from an opioid overdose, more than from car accidents; and

WHEREAS preliminary findings from 2018 show that 16 Skagitonians died of an opioid overdose, 10 of which are suspected to be fentanyl overdoses; and

WHEREAS in 2017, Skagit County hospitals reported 236 nonfatal opioid overdoses with at least 62 additional overdoses who did not present to hospitals; and

WHEREAS there was an estimated 1,599 opioid users who inject drugs in Skagit County in 2017; and

WHEREAS an estimated 882 individuals who inject drugs were interested in reducing or stopping their opioid use in 2017; and **WHEREAS** deaths and treatment for opioid overdose in Skagit County has reached epidemic proportions; and

WHEREAS the collection of information about the frequency of opioid overdoses, the specific drug involved, and contact information about the individual is needed to establish a comprehensive public health response, including education and offers of treatment to those suffering from opioid use disorder; and

WHEREAS Department of Health regulations do not currently include opioid overdose as a reportable condition; and

WHEREAS, the Skagit County Health Officer has determined that opioid overdose is a condition of local public health importance; and

WHEREAS, a presentation calling for public hearing was held on December 11, 2018, opening a four week comment period; and,

WHEREAS, Notice of Public Hearing was published in the Skagit Valley Herald on December 13 and 20, 2018 and published on the Skagit County website beginning December 11, 2018; and

WHEREAS, a staff report, draft ordinance and supporting documents were published on the Skagit County website beginning December 11, 2018; and

WHEREAS, a public hearing was held on January 8, 2019 at 9:00 am to take public comment;

NOW, THEREFORE, BE IT ORDAINED that the Skagit County Board of Health finds that establishing opioid overdose as a reportable condition will serve the public interest and further public health; and

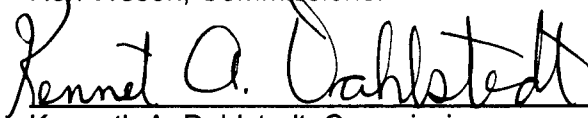
NOW, THEREFORE, BE IT FURTHER ORDAINED that the Board adopts the chapter to be codified in Title 12 Skagit County Code as set forth in Exhibit A, effective April 1, 2019.

DATED this 8 day of January, 2019.

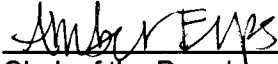
**BOARD OF HEALTH
SKAGIT COUNTY, WASHINGTON**


Lisa Janicki, Chair


Ron Wesen, Commissioner


Kenneth A. Dahlstedt, Commissioner

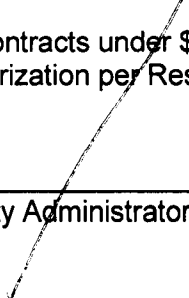
Attest:


Clerk of the Board

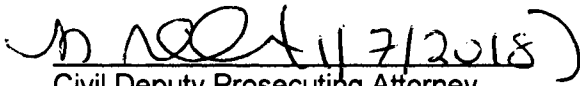
For contracts under \$5,000:
Authorization per Resolution R20030146

Recommended:

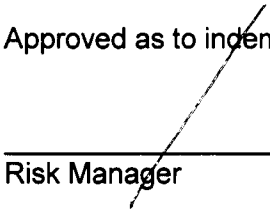

Department Head


County Administrator

Approved as to form:

 (11/7/2018)
Civil Deputy Prosecuting Attorney

Approved as to indemnification:


Risk Manager

Approved as to budget:

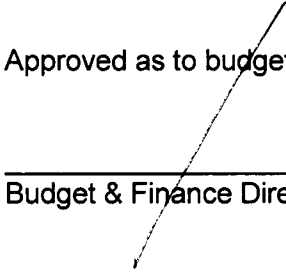

Budget & Finance Director

Exhibit A

Chapter 12.25 OPIOID REPORTING

Sections:

- 12.25.010 Purpose
- 12.25.020 Definitions
- 12.25.030 Reporting requirements
- 12.25.040 Enforcement and penalties
- 12.25.050 Severability

12.25.010 Purpose

This chapter provides for the reporting of overdoses from the use of opioids. This data is critical to develop effective programs to treat individuals and reduce harm to the public. Opioids have the potential to cause substance dependence that is characterized by a strong desire to take opioids, impaired control over opioid use, persistent opioid use despite harmful consequences, a higher priority given to opioid use than to other activities and obligations, increased tolerance, and a physical withdrawal reaction when opioids are discontinued.

12.25.020 Definitions.

- (1) "Health Officer" means the Skagit County Health Officer, as defined in RCW 70.05.010 and, for the purposes of conducting inspections and issuing notices of violation under this chapter, the persons filling the following positions in Public Health: Director of Public Health; Assistant Director; Operations Manager; Communicable Disease Investigator or Public Health Nurse.
- (2) "Health care provider" means:
 - (a) any person having direct or supervisory responsibility for the delivery of health care who is licensed or certified in this state under Title 18 RCW;
 - (b) military personnel providing health care within the state regardless of licensure; and
 - (c) persons performing duties as a coroner or deputy coroner; and
 - (d) first responders such as volunteer firemen and other emergency care providers
- (3) "Reportable condition" means clinical evidence of an opioid overdose as evidenced by central nervous system or respiratory system depression, lethargy or unconsciousness, decreased respiratory rate, apnea (temporary cessation of breathing), miosis (pinpoint pupils), or death.
- (4) "Opioid" means any of various compounds that bind to specific receptors in the central nervous system and have analgesic and narcotic effects similar to opium, including naturally occurring substances such as morphine, and synthetic and

semisynthetic drugs or analogues such as methadone and oxycodone. Opioids include, but are not limited to, the following substances and drugs:

- (a) opium
- (b) codeine
- (c) fentanyl
- (d) heroin
- (e) hydrocodone
- (f) hydromorphone
- (g) methadone
- (h) morphine
- (i) oxycodone
- (j) oxymorphone
- (k) paregoric
- (l) sufentanil
- (m) tramadol

12.25.030 Reporting requirements.

- (1) Health care providers in Skagit County shall notify Skagit County Public Health within 72 hours of diagnosis of a reportable condition.
- (2) Health care providers shall make their reports on a form provided by Skagit County Public Health or on a form of similar format using a secure means of communication.

12.25.040 Enforcement and Penalties

Failure to make a timely report shall be a class 3 civil infraction enforceable under chapter 7.80 RCW.

12.25.050 Severability.

If any provision of this Chapter or its application to any person or circumstances is held invalid, the remainder of this Chapter, or the application of the provisions to other persons or circumstances, shall not be affected.