

# HOUSE BILL REPORT

## HB 2391

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*As Reported By House Committee on:  
Environmental Affairs*

**Title:** An act relating to biomedical waste.

**Brief Description:** Regulating biomedical waste.

**Sponsor(s):** Representatives Horn, Rust, Pruitt, Bray,  
J. Kohl, Brekke, Edmondson, D. Sommers, Valle and May.

**Brief History:**

Reported by House Committee on:  
Environmental Affairs, January 24, 1992, DPS.

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**HOUSE COMMITTEE ON  
ENVIRONMENTAL AFFAIRS**

**Majority Report:** *The substitute bill be substituted therefor and the substitute bill do pass.* Signed by 12 members: Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; J. Kohl; Neher; Pruitt; Sprenkle; and Van Luven.

**Staff:** Rick Anderson (786-7114).

**Background:** There are currently no comprehensive state laws governing the definition, handling, storage, or disposal of medical waste.

The Utilities and Transportation Commission (UTC) has adopted rules requiring persons collecting "sharps" waste which consists of hypodermic needles and scalpels, and untreated medical waste to plan for and implement a number of procedures designed to protect workers from infection. The rules also require sharps waste and untreated medical waste to be contained in a way that reduces the risk of disease transmission to persons who handle the waste. The UTC rules do not impose any such requirements on treated solid waste. The UTC rules apply to all private companies that offer the service of collecting biomedical waste.

Some local governments regulate medical waste through local ordinances. At least one county, King County, assesses higher landfill charges for medical waste to pay for special handling procedures required in King County.

Biomedical waste is typically sterilized through incineration or exposure to heat. Several new technologies are being developed to treat biomedical waste. A treatment facility to be located in Morton, Washington plans to use microwaves to treat biomedical waste. The state has no procedures to verify the effectiveness of these new technologies.

**Summary of Substitute Bill:** The term "biomedical waste" is defined. The definition preempts any local definitions of such waste.

The Department of Health, in conjunction with the Department of Ecology and local health jurisdictions, are authorized to develop a process to verify the effectiveness of new technologies to treat biomedical waste.

**Substitute Bill Compared to Original Bill:** The provisions prohibiting local governments from imposing additional regulations and fees on treated biomedical waste are deleted.

Portions of the intent section and some definitions are deleted to reflect the substantive changes made by the substitute bill. Technical changes are made to the definitions for "animal waste," "human blood and blood products," and "treatment." Technical changes are made to clarify that the Department of Health is the lead agency for establishing a process to verify new treatment technologies and that it can adopt rules if necessary.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** Sections 2 and 3 contain an emergency clause and take effect immediately. Section 4 takes effect October 1, 1992. The rest of the bill takes effect 90 days after the adjournment of session in which bill is passed.

**Testimony For:** Representatives of various medical organizations testified that a uniform statewide definition of biomedical waste would simplify compliance and would not jeopardize public health.

The representative from the Seattle Area Hospital Council testified that treated biomedical waste poses no more risk than conventional solid waste and should not be subjected to local disposal surcharges.

**Testimony Against:** Representatives of local governments opposed the provisions that prohibited local governments

from imposing surcharges and additional regulations on treated biomedical waste.

**Witnesses:** Ken Werenko, Department of Corrections; Elaine Rose, City of Seattle (con); Karen Van Dusen, Department of Health; Lis Gildemeister, Washington State Nurses Association (pro); Jeff Daub, American Environmental Management Corporation (con); Beverly Jacobsen, Seattle Area Hospital Council (pro); Becky Bogard, Laboratory of Pathology (pro); Barbara Soule, St. Peter's Hospital (pro); Scott Sigman, Washington Health Care Association (pro); Carrie Bashaw, Washington Health Care Association (pro); Ken Bertrand, Group Health (pro); Greg Hanon, Washington State Veterinary Medical Association (pro); Rod Hansen, King County Solid Waste (pro); Jody Snyder, Tacoma-Pierce County Health Department (con); Tom Eaton, Washington Department of Ecology; Jean Wessman, Washington State Association of Counties (con); Kathleen Collins, Association of Washington Cities; and Steve Lindstrom, Washington State Podiatric Medical Association.