

8.12.000 EVIDENTIARY BLOOD DRAWS (PHLEBOTOMY)

8.12.005

PURPOSE AND SCOPE: 01/25

This policy establishes guidelines and procedures for the administration and performance of legal blood draws conducted by King County Sheriff's Office sworn personnel trained in phlebotomy.

8.12.010

DEFINITIONS: 01/25

KCSO Phlebotomist: A sworn law enforcement officer employed by the King County Sheriff's Office, who:

1. Has successfully completed a phlebotomy course approved by the Phlebotomy Coordinator; and
2. Holds a current Medical Assistant-Phlebotomist certification or Forensic Phlebotomist certification from the State of Washington, having met all requirements of RCW 18.360.040; and
3. Is authorized by the Phlebotomy Coordinator to perform blood draws per this policy and the SOP.

Phlebotomy Coordinator: The person designated by the sheriff to oversee the department's phlebotomy program. The Phlebotomy Coordinator shall maintain a current roster of approved KCSO Phlebotomists and manage the program in accordance with this policy and the SOP.

Phlebotomy Station: A location with equipment and space designated for performing blood draws. Phlebotomy Stations in KCSO facilities must be approved by the Phlebotomy Coordinator.

8.12.015

POLICY: 01/25

The King County Sheriff's Office is dedicated to enhancing public safety and ensuring the efficient administration of justice through the establishment of its Phlebotomy Program. This program aims to provide qualified department personnel with the necessary training and resources to conduct evidentiary blood draws in accordance with legal standards and best practices.

This policy allows KCSO Phlebotomists to draw blood only for evidentiary purposes when legal authority exists in accordance with state law and GOM 9.06.060, or during approved training. KCSO Phlebotomists shall not perform blood draws for secondary employment, or outside of the guidelines of this policy and the related SOP.

8.12.020

LEGAL AUTHORITY: 01/25

RCW 46.20.308 authorizes law enforcement officers to collect blood evidence to test for alcohol, marijuana, or drugs as it relates to impaired driving offenses. RCW 46.61.506 authorizes Medical Assistant-Phlebotomists and Forensic Phlebotomists to draw blood for the purposes of determining alcohol or drug content pursuant to a test administered under RCW 46.20.308.

8.12.025

WHEN AUTHORIZED: 01/25

1. KCSO Phlebotomists are authorized to draw blood:
 - a. When there is probable cause to arrest a subject for an impaired driving offense and the subject refuses the breath test, or if results of a breath test are inconsistent with the impairment observed, or if the investigation suggests an unknown substance is the cause of impairment or is contributing to the impairment; and
 - b. When there is a valid search warrant to draw blood; or
 - c. When the subject has given consent for the blood draw; or
 - d. When exigent circumstances exist. Deputies must clearly articulate why the destruction of evidence is reasonably likely if the deputy takes the time to obtain a warrant before the blood draw.
 - i. Exigent circumstances exist when it is not practical to obtain a warrant because the delay will permit destruction or alteration of blood evidence.
 - ii. Examples of exigent circumstances could include situations where the subject is involved in a collision and must receive urgent medical care that will alter a blood sample, including introduction of fluids, therapeutic drugs or if the subject will be airlifted for treatment and there will be no control over blood evidence following the air lift.
 - iii. The dissipation of alcohol in the bloodstream alone is not a basis for a finding of exigent circumstances.
2. Law enforcement may seek a search warrant for blood without offering or administering a breath test.
3. Legal Authority can be found in the following state statutes:
 - a. RCW 18.360 Medical Assistants
 - b. WAC 246-827-0400 Medical Assistant-Phlebotomist Certification and Training
 - c. RCW 46.20.308 Implied Consent-Test Refusal-Procedures
 - d. RCW 46.61 Rules of the Road

8.12.030

CONDITIONS AND REQUIREMENTS: 01/25

Blood draws shall be performed under the following conditions:

1. The collection of blood samples must not interfere with the provision of essential medical care.
2. If taken at the scene, it must be performed in an ambulance or aid service vehicle licensed by the department of health under chapter 18.73 RCW.
3. In addition to an ambulance or aid vehicle, a blood draw may be performed at an approved Phlebotomy station or a medical facility.
4. The blood sample must be collected using sterile equipment and the skin area of puncture must be thoroughly cleansed and disinfected.
5. The person whose blood is collected must be seated, reclined, or lying down when the blood is collected.

6. The arresting officer should witness the blood draw whenever feasible.
7. The KCSO Phlebotomist shall turn over custody of blood evidence to the arresting officer or another officer involved in the case or submit the evidence for the arresting officer.

8.12.035

USE OF FORCE AND SAFETY CONSIDERATIONS: 01/25

1. KCSO Phlebotomists shall not use force to draw blood. If the subject becomes physically resistive or combative, the subject should be transported to an appropriate medical facility for blood to be drawn by qualified medical personnel.
 - a. KCSO Phlebotomists shall advise the on-duty supervisor if a subject becomes resistive or combative.
 - b. If the subject physically resists, additional criminal charges may be appropriate.
2. KCSO Phlebotomists may arrange to have a second officer present during the blood draw for safety.
3. KCSO Phlebotomists have the final authority in determining whether to continue the blood draw for safety reasons.
4. KCSO Phlebotomists shall immediately summon medical aid upon complication or medical problem if necessary.

8.12.040

REQUESTING A CALL OUT: 01/25

1. The field supervisor shall determine the need for a KCSO Phlebotomist call-out.
2. The communications center shall send a request to on-duty KCSO Phlebotomists first.
3. If none are available to respond, the communications center shall send a request to off-duty KCSO Phlebotomists and participating partner agencies.

8.12.045

TRAINING: 01/25

KCSO Phlebotomists must complete an initial phlebotomy course, using curriculum approved by the Phlebotomy Coordinator and the WA Department of Health. The course must include successful venipunctures in a clinical setting as well as a practical and written final examination where they must meet all competencies as prescribed.

KCSO Phlebotomists must complete recertification training approved by the Phlebotomy Coordinator at least once per year.