

**BILL REQUEST - CODE REVISER'S OFFICE**

BILL REQ. #: H-0310.1/21

ATTY/TYPIST: MW:eab

BRIEF DESCRIPTION: Increasing accountability for nonprofit hospitals and health care professional service corporations.

1 AN ACT Relating to increasing accountability for nonprofit 2 hospitals and health care professional service corporations; and adding new sections to chapter 70.41 RCW.3

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.41 RCW to read as follows:6

7 (1) The department shall annually survey all physicians licensed 8 under chapter 18.71 RCW, osteopathic physicians licensed under 9 chapter 18.57 RCW, physician assistants licensed under chapter 18.71A 10 RCW, registered nurses licensed under chapter 18.79 RCW, and advanced 11 registered nurse practitioners licensed under chapter 18.79 RCW requesting information on the following:12

13 (a) The quality of care in a hospital or health care professional 14 service corporation where the health care provider is employed or has privileges; and15

16 (b) Any conditions in a hospital or health care professional 17 service corporation that may negatively impact the quality of patient care.18

19 (2) The department may use aggregate information collected under subsection (1) of this section to:20

21 (a) Make certificate of need determinations; and Code Rev/MW:eab 1  
H-0310.1/21

(b) Provide information to the public.1

~~2 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.41 RCW to read as follows:3~~

~~4 Beginning September 1, 2021, each hospital that is recognized by 5 the internal revenue service as a 501(c)(3) nonprofit entity must 6 submit all governing board documents from every board of trustee 7 meeting to~~

~~the department within 30 days of that board meeting. This section has been made redundant by the passage of HB 1272 by the 2021 legislature.~~

8 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.41 RCW to read as follows:9

10 (1) If the department makes a determination that substandard 11 patient care has occurred within a licensed hospital or other health 12 care professional service corporation operating as a 501(c)(3) nonprofit, the department may sanction:13

14 (a) Supervisors that are licensed health care workers, for 15 substandard practice of medicine under chapter 18.130 RCW; and 16 (b) Supervisors that are not licensed health care practitioners 17 under Title 18 RCW for practice of medicine in violation of chapter 18 18.71 or 18.57 RCW, and subject to enforcement under RCW 18.130.190, 19 if the person or entity interferes with a licensed physician's independent clinical judgment by:20

21 (i) Limiting or imposing requirements on the length of time a 22 physician spends with a patient or performing medical services, or 23 otherwise placing conditions on the number of patients a physician 24 must treat in a certain period of time or the number of certain types 25 of procedures a physician must complete in a certain time period;

26 (ii) Limiting or imposing requirements on the decision of a 27 physician regarding a course or alternative course of treatment for a 28 patient or the manner in which a course of treatment is carried out by the physician;29

30 (iii) Limiting or imposing requirements on the manner in which a 31 physician uses medical equipment or materials for the provision of medical treatment; and32

33 (iv) Limiting or imposing requirements on the use of a laboratory 34 or the materials, supplies, instruments, or equipment deemed 35 reasonably necessary by a physician to provide diagnoses and treatment consistent with the standard of care.36

37 (2) Violations of subsection (1)(b) of this section shall be 38 enforced pursuant to RCW 18.130.190, including the authority to issue Code

Rev/MW:eab 2 H-0310.1/21

1 subpoenas pursuant to RCW 18.130.050(4). Communication of complaints 2 or information to a state agency pursuant to RCW 4.24.500 through 4.24.520 are covered by those provisions.3

4 NEW SECTION. **Sec. 4.** A new section is added to chapter 70.41 RCW to

read as follows:5

6 Beginning January 1, 2022, a hospital licensed under this chapter 7 may  
not terminate an employed physician licensed under chapter 18.71 8 RCW or  
osteopathic physician licensed under chapter 18.57 RCW without 9 a  
professional peer review action that meets the requirements of 42  
10 U.S.C. Sec. 11112 as it existed on the effective date of this  
section.11

--- END ---