
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
3 adding new sections to chapter 70.41 RCW.

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
6 RCW to read as follows:

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
12 requesting information on the following:

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
15 privileges; and

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

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

21 (a) Make certificate of need determinations; and

1 (b) Provide information to the public.

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

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.

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

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)
13 nonprofit, the department may sanction:

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
20 independent clinical judgment by:

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
29 by the physician;

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

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
36 treatment consistent with the standard of care.

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

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
3 4.24.520 are covered by those provisions.

4 NEW SECTION. **Sec. 4.** A new section is added to chapter 70.41
5 RCW to read as follows:

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
11 section.

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