

FINAL BILL REPORT

2SHB 1021

C 242 L 09
Synopsis as Enacted

Brief Description: Concerning the department of health's authority in hospitals.

Sponsors: House Committee on Health & Human Services Appropriations (originally sponsored by Representatives Campbell, Morrell and Moeller).

House Committee on Health Care & Wellness
House Committee on Health & Human Services Appropriations
Senate Committee on Health & Long-Term Care

Background:

Hospital Inspections.

State agencies, including the Department of Health (DOH), conduct hospital surveys and audits in order to enforce standards and rules required for the safe care and treatment of patients. An audit entails an examination of records or financial accounts to evaluate accuracy and monitor compliance with statutory or regulatory requirements. A survey involves an inspection, examination, or site visit conducted by an agency.

Agencies may be required to give prior notice of an audit or survey unless the agency is responding to a complaint or immediate public health and safety concerns or when such prior notice would conflict with other state or federal law. Any state agency that provides notice of a hospital survey or audit must provide such notice to the hospital no less than four weeks prior to the date of the survey or audit.

Certificates of Need.

A critical access hospital (i.e., a hospital serving a medically under-served area) may increase its total number of beds to the total permitted by federal law or redistribute its beds among acute and nursing care without obtaining a certificate of need. The hospital is, however, subject to the certificate of need process if there is a licensed nursing home within 27 miles except for:

- up to five swing beds (i.e., hospital beds used for long-term care) if the nursing home is in the same city or town limits as the hospital; or

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- up to 25 swing beds if the nursing home is not within the same city or town limits as the hospital. No more than 12 of the swing beds authorized by this exemption may be designated prior to July 1, 2009. The balance may be designated no sooner than July 1, 2010.

Summary:

Hospital Inspections.

When the DOH inspects a hospital, the inspection must be conducted on an unannounced basis. The DOH is prohibited from issuing its final report regarding an unannounced inspection until:

- the hospital is given at least two weeks to provide any information or documentation requested by the DOH during the inspection that was not available at the time of the request; and
- at least one person from the DOH conducting the inspection meets personally with the chief administrator or executive officer of the hospital following the inspection, or the chief administrator or executive officer declines such a meeting.

Certificates of Need.

The date before which a critical access hospital may designate up to 12 swing beds without being subject to the certificate of need process is changed from July 1, 2009, to July 1, 2010.

Votes on Final Passage:

House	95	0	
Senate	48	0	(Senate amended)
House	97	0	(House concurred)

Effective: July 26, 2009