

# HOUSE BILL REPORT

## HB 1058

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### As Reported By House Committee On: Health Care

**Title:** An act relating to the disclosure of information obtained by the department of health related to meeting licensing standards in hospitals.

**Brief Description:** Providing for disclosure of information obtained by the department of health related to meeting licensing standards in hospitals.

**Sponsors:** Representatives Dyer, Cody and Backlund; by request of Department of Health.

**Brief History:**

**Committee Activity:**

Health Care: 1/28/97, 1/31/97 [DPS].

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### HOUSE COMMITTEE ON HEALTH CARE

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Dyer, Chairman; Backlund, Vice Chairman; Skinner, Vice Chairman; Cody, Ranking Minority Member; Murray, Assistant Ranking Minority Member; Anderson; Conway; Parlette; Sherstad; Wood and Zellinsky.

**Staff:** John Welsh (786-7133).

**Background:** Hospitals are licensed by the Department of Health, which sets quality assurance standards, conducts site visits, and responds to consumer complaints.

Information about complaints, including the result of site visits or any other information about a hospital's license, is currently not disclosed to the public until there is a formal administrative action taken against the license. In practice, few formal administrative actions are ever initiated against a hospital license. When the department finds that a hospital is not meeting quality standards, the hospital is given the opportunity to correct the problem and the department verifies that the hospital has implemented a correction plan. In the absence of formal administrative actions, the public has virtually no access to information about a hospital record.

**Summary of Substitute Bill:** Information received by the Department of Health relative to a hospital's license must be disclosed to the public upon request, consistent with the provisions of the Public Disclosure Act applicable to information held by state agencies. Information about a complaint is disclosed to the public after the department completes its assessment of compliance with licensing standards. However, confidential information protected by law, such as patient records, cannot be disclosed.

**Substitute Bill Compared to Original Bill:** In disclosing information relative to a hospital license, the department cannot disclose confidential information protected by law.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Substitute Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The public has a right to access information relative to a hospital licensed by the Department of Health, consistent with the spirit and intent of the Public Disclosure Act. The informal nature of the quality assurance process prevents public access to relevant information about a hospital's license. The bill requires public disclosure of relevant information consistent with other information held by state agencies.

**Testimony Against:** None.

**Testified:** Kathy Stout, Department of Health (pro); and Dave Broderick, Washington State Hospital Association.