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**Health Care Committee**

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**HB 2083**

**Brief Description:** Establishing emergency service requirements for hospitals.

**Sponsors:** Representatives Cody, Benson and Darneille.

**Brief Summary of Bill**

- Requires hospitals to provide emergency services 24 hours per day, seven days per week.

**Hearing Date:** 3/4/03

**Staff:** Chris Blake (786-7392).

**Background:**

State Regulation of Hospitals

Hospitals are health care facilities that provide continuous accommodations, facilities, and services, over a period of at least 24 hours, to patients requiring observation, diagnosis, or care. Acute care hospitals may serve patients who require surgery and interventional services, obstetrical and nursery services, emergency care units or services, critical care units or services, cardiology services, pediatric care services, rehabilitation units, oncology services, and laboratory services.

If a hospital chooses to provide emergency services, state regulations require that emergency facilities: are appropriately located and accessible; have at least one major treatment or trauma room; have a minor treatment and examination room; have an observation room; and have room for severely disturbed patients. If the hospital provides regular trauma care, it must meet additional criteria.

Federal Law Regarding Emergency Services

The Emergency Medical Treatment and Labor Act (EMTALA) requires hospitals that have an emergency department and participate in the Medicare program to provide care for any individual that comes to the hospital's emergency department. Such care includes providing the individual with a medical screening exam to determine the presence of an emergency

condition. If such a condition is present, the hospital must either provide treatment to stabilize the person or, if the resources to treat the person are not available, transfer the individual to another medical facility.

**Summary of Bill:**

All licensed hospitals in Washington must provide emergency services 24 hours per day, seven days per week in a designated area of the hospital. Each hospital must have at least an emergency physician who is immediately available, a roster of on-call medical staff members, and procedures to ensure the patient's safety until transfer to a more appropriate facility for the patient's needs. Each hospital must meet all state and federal laws regarding emergency care and facilities.

The emergency services requirement does not apply to: hospitals that only provide psychiatric or rehabilitative services; hospitals licensed before January 1, 2003, that did not provide emergency services at that time; and specialty hospitals that are part of a larger health care system that has a general hospital within the same county as the specialty hospital.

**Appropriation:** None.

**Fiscal Note:** Not Requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.