

# SENATE BILL REPORT

## SHB 1569

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As Reported By Senate Committee On:  
Health & Long-Term Care, March 23, 2005

**Title:** An act relating to quality assurance in boarding homes, nursing homes, hospitals, peer review organizations, and coordinated quality improvement plans.

**Brief Description:** Regarding quality assurance in boarding homes, nursing homes, hospitals, peer review organizations, and coordinated quality improvement plans.

**Sponsors:** House Committee on Health Care (originally sponsored by Representatives Morrell, Clibborn, Skinner, Schual-Berke, Green, Moeller, Cody, Curtis, Condotta, Chase, O'Brien and Kenney).

**Brief History:** Passed House: 3/09/05, 96-0.

**Committee Activity:** Health & Long-Term Care: 3/21/05, 3/23/05 [DP].

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### SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

**Majority Report:** Do pass.

Signed by Senators Keiser, Chair; Thibaudeau, Vice Chair; Deccio, Ranking Minority Member; Benson, Brandland, Franklin, Johnson, Kastama, Kline, Parlette and Poulsen.

**Staff:** Sharon Swanson (786-7447)

**Background:** Many believe that facilitation of the quality assurance process in licensed boarding homes and nursing homes will promote safe patient care and may reduce property and liability insurance premium costs for such facilities.

It is the opinion of many that heightening the protection of quality assurance committee records will promote self-monitoring of patient care outcomes and allow facilities to correct identified problems at the earliest point in time.

**Summary of Bill:** Nursing homes may maintain a quality assurance committee. The committee must, at a minimum include a director of nursing services, a physician, and three other members from the staff of the facility. The committee must meet quarterly with the purpose of identifying issues that may adversely affect quality of care and services.

The Department of Social and Health Services (DSHS) may not require, and the long-term care ombudsman cannot request, disclosure of any quality assurance committee records or reports unless otherwise statutorily required.

The information and documents, including complaints and incident reports, created specifically for, and collected and maintained by a quality improvement committees for boarding homes and nursing homes, are not subject to discovery or introduction into evidence in any civil action.

Participants in the processes of the quality assurance committees for boarding homes and nursing homes, are not permitted or required to testify in any civil action as to the content of proceedings or the documents and information prepared specifically for the committee.

Information and documents disclosed by one quality assurance committee to another quality assurance committee and any information and documents created or maintained as a result of the sharing of information is not subject to the discovery process.

The Department of Social and Health Services is not liable for inadvertent disclosures, disclosures related to federal or state audits, or incorrectly labeled documents, used by quality assurance committees.

Any rules necessary to implement this legislation must meet the requirements of applicable federal and state privacy laws.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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

**Testimony For:** This is a good bill. The language in the bill has been negotiated and is based on existing language used for quality assurance committee's in hospitals. This bill is necessary to allow nursing homes to safely address problems and to improve the care they provide.

**Testimony Against:** None.

**Who Testified:** PRO: Deb Murphy, Washington Association of Housing & Services for the Aging; Lauri St. Ours, Assisted Living Federation of America; Jonathan Eames, Washington Health Care Association.