
HOUSE BILL 1538

State of Washington 59th Legislature 2005 Regular Session

By Representatives Cody, Campbell and Morrell; by request of
Department of Health

Read first time 01/27/2005. Referred to Committee on Health Care.

1 AN ACT Relating to hospital reporting of restrictions on health
2 care practitioners; amending RCW 70.41.210; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 70.41.210 and 1994 sp.s. c 9 s 743 are each amended to
5 read as follows:

6 (1) The chief administrator or executive officer of a hospital
7 shall report to the ((medical quality assurance commission when a
8 physician's clinical privileges are terminated or are restricted based
9 on a determination, in accordance with an institution's bylaws, that a
10 physician has either committed an act or acts which may constitute
11 unprofessional conduct. The officer shall also report if a physician
12 accepts voluntary termination)) department when the practice of a

13 health care practitioner as defined in subsection (2) of this section
14 is restricted, suspended, limited, or terminated based upon any action
15 defined as unprofessional conduct under RCW 18.130.180. The chief
16 administrator or executive officer shall also report any voluntary
17 restriction or termination that a hospital offers or accepts in order
18 to ((foreclose or terminate actual or)) avoid possible hospital action

1 ~~((to suspend, restrict, or terminate a physician's clinical~~
2 ~~privileges)) against the health care practitioner. The department will~~

3 forward the report to the appropriate disciplinary authority.
4 (2) The reporting requirements apply to the following health care
5 practitioners: Pharmacists as defined in chapter 18.64 RCW;
6 occupational therapists as defined in chapter 18.59 RCW; physical
7 therapists as defined in chapter 18.74 RCW; audiologists and speech-
8 language pathologists as defined in chapter 18.35 RCW; advanced
9 registered nurse practitioners as defined in chapter 18.79 RCW;
10 dentists as defined in chapter 18.32 RCW; naturopathic physicians as
11 defined in chapter 18.36A RCW; optometrists as defined in chapter 18.53
12 RCW; osteopathic physicians and surgeons as defined in chapter 18.57
13 RCW; osteopathic physician assistants as defined in chapter 18.57A RCW;
14 physicians as defined in chapter 18.71 RCW; physician assistants as
15 defined in chapter 18.71A RCW; podiatrists as defined in chapter 18.22
16 RCW; and psychologists as defined in chapter 18.83 RCW.

17 ~~((Such)) (3) A report under this section shall be made within~~

18 ~~((sixty)) fifteen days of the date: (a) Action was taken by the~~
19 ~~((hospital's peer review committee)) hospital, or (b) the (physician's~~
20 ~~acceptance of voluntary termination or restriction of privileges))~~
21 health care practitioner's practice was voluntarily or involuntarily
22 restricted, suspended, limited, or terminated.

23 (4) Failure of a hospital to comply with this section is punishable
24 by a civil penalty ~~((not to exceed two hundred fifty)) of up to ten~~
25 thousand dollars per violation.

26 (5) A hospital, its chief administrator, or its executive officer
27 who files a report under this section in good faith is immune from suit
28 in any civil action related to the filing or contents of the report.
29 (6) The department may adopt rules necessary to carry out this
30 section.

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