

SENATE BILL REPORT

SB 6710

As Reported By Senate Committee On:
Labor, Commerce, Research & Development, February 04, 2008

Title: An act relating to standards for fire protection of hospitals.

Brief Description: Modifying the fire protection standards for hospitals.

Sponsors: Senators Keiser and Marr; by request of Washington State Patrol.

Brief History:

Committee Activity: Labor, Commerce, Research & Development: 1/29/08, 2/4/08 [DPS].

SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

Majority Report: That Substitute Senate Bill No. 6710 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Holmquist, Ranking Minority Member; Franklin, Hewitt, King, Murray and Prentice.

Staff: Ingrid Mungia (786-7423)

Background: The Chief of the Washington State Patrol (WSP), through the Director of Fire Protection, sets and enforces standards for fire protection as it relates to all licensed hospitals. Hospital fire protection and enforcement standards must be consistent with standards adopted by the federal centers for Medicare and Medicaid services for hospitals that care for Medicare or Medicaid beneficiaries. The Chief of the WSP, through the Director of Fire Protection, must inspect hospitals at least once a year.

The state Director of Fire Protection administers licensing and certification requirements, and sets license and certificate fees for fire sprinkler contractors and fire sprinkler certificate of competency holders. These fees are deposited into the Fire Protection Contractor License Fund. This fund is used only for purposes of licensing and regulating fire protection sprinkler system contractors and assisting in identifying fire sprinkler system components subject to recalls or voluntary replacement programs, as well as for licensing and regulating fire protection sprinkler system contractors.

Summary of Bill (Recommended Substitute): The requirement that the Chief of the WSP conduct inspections of hospitals every 12 months is extended to an average of every 18 months. The standard used for inspecting an existing hospital, or portion of an existing hospital, must be the standards used for existing buildings and not the standards used for new construction.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Chief of the WSP, through the Director of Fire Protection (Director), must inspect a hospital during the inspection conducted by the Department of Health (DOH). DOH must incorporate the written report from the Director into DOH's final inspection report. Applicants or licensees must submit their corrections to comply with the fire protection standards along with any other licensing inspection to DOH. The Director may reinspect the premises if extensive and serious corrections are required. The Director must utilize the scope and severity matrix developed by the centers of Medicare and Medicaid services when determining what corrections will require a reinspection. Inspections conducted by the joint commission are deemed equivalent to an inspection by the Chief of the WSP, through the Director.

The purposes for which the Fire Protection Contractor License Fund may be used are broadened to include the standards set for fire protection and its enforcement with respect to all hospitals.

EFFECT OF CHANGES MADE BY LABOR, COMMERCE, RESEARCH & DEVELOPMENT COMMITTEE (Recommended Substitute): Removes language referencing the Chief of the WSP determining if the applicable inspection standards of the joint commission are substantially equivalent to its own. Changes the name of the joint commission on the accreditation of health care organizations on hospitals to the joint commission. The joint commission has officially changed their name. The standard used for inspecting an existing hospital, or portion of an existing hospital, must be the standards used for existing buildings and not the standards used for new construction. The Chief of the WSP, through the Director, must inspect a hospital during the inspection conducted by the DOH. DOH must incorporate the written report from the Director into DOH's final inspection report. Applicants or licensees must submit their corrections to comply with the fire protection standards along with any other licensing inspection to DOH. The Director may reinspect the premises if extensive and serious corrections are required. The Director must utilize the scope and severity matrix developed by the centers of Medicare and Medicaid services when determining what corrections will require a reinspection. The Director must designate one lead deputy state fire marshal on a regional basis to provide consistency with DOH's survey teams for conducting the fire inspection during DOH hospital inspections. The Director must also ensure the deputy state fire marshals are provided orientation with DOH on the unique environment of hospitals before they conduct fire protection inspections in hospitals.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony on Recommended Substitute: PRO: Since the 1990's, the State Patrol has been delegating hospital inspections to the Department of Health because of budget cuts. The State Fire Marshal has been informed they cannot delegate this duty because of public safety issues. This bill has been worked on and agreed upon by all parties. This bill allows the State Fire Marshal's Office to coordinate hospital inspections with

the Department of Health to reduce disruptions to hospitals. This bill is the right thing to do. It is good for citizens and responders.

OTHER: The Hospital Association supports the proposed substitute.

Persons Testifying: PRO: Senator Keiser, prime sponsor; Mike Matlick, State Fire Marshal's Office; T.K. Nedrow, Fire Protection Policy Board.

OTHER: Lisa Thatcher, WA State Hospital Association.