
Health Care & Wellness Committee

HB 1575

Brief Description: Clarifying which surgical facilities the Washington state department of health is mandated to license pursuant to chapter 70.230 RCW.

Sponsors: Representatives Cody, Green, Van De Wege, Moeller and Jinkins.

Brief Summary of Bill

- Defines ambulatory surgical facilities to include surgical suites primarily used for specialty surgery that are adjacent to a practitioner's office, regardless of the type of anesthesia used.

Hearing Date: 2/9/11

Staff: Chris Blake (786-7392).

Background:

The Department of Health (Department) began licensing ambulatory surgical facilities in 2009. An "ambulatory surgical facility" is defined as a distinct entity that primarily provides specialty or multispecialty outpatient surgical services and discharges patients within 24 hours of admission. There are three exemptions from this definition for (1) dental offices, (2) hospital-affiliated ambulatory surgical facilities, and (3) outpatient surgical services that are routinely performed in the office of a practitioner that do not require general anesthesia. In implementing the licensing program, the Department issued an interpretive statement that limited the licensing requirement to only those facilities that perform outpatient surgeries and use general anesthesia.

The Medical Quality Assurance Commission adopted rules in September 2010 that regulate office-based surgery. These rules establish standards for the performance of surgery in a physician's office where the physician uses moderate sedation, deep sedation, or major conduction anesthesia. The rules do not apply to procedures that: (1) use very low levels of sedation or anesthesia; (2) are performed in a hospital or ambulatory surgical facility setting; or (3) use general anesthesia.

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.

Summary of Bill:

"Ambulatory surgical facilities" are defined to include surgical suites that are adjacent to the office of a practitioner if the primary purpose of those suites is to offer specialty or multispecialty outpatient surgical services, regardless of the type of anesthesia used. The definition further specifies that the surgical suites may share certain features with the office of a practitioner, including a reception area, restroom, waiting room, and walls.

The exemption from ambulatory surgical facility regulation for outpatient surgical services routinely performed in a practitioner's office is limited by the condition that specialty and multispecialty services not be the primary purpose of the office. The exemption is further limited by providing that any surgical services in which the use of general anesthesia is planned, must be performed in an ambulatory surgical facility or a hospital.

Appropriation: None.

Fiscal Note: Requested on February 2, 2011.

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