
SENATE BILL 5396

State of Washington

62nd Legislature

2011 Regular Session

By Senators Murray, Keiser, and Prentice

Read first time 01/24/11. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to employment of physicians by nursing homes; and
2 adding a new section to chapter 18.51 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.51 RCW
5 to read as follows:

6 (1) A nursing home licensed under this chapter may employ
7 physicians for the provision of professional services to its residents
8 under the following conditions:

9 (a) The nursing home may not in any manner, directly or indirectly,
10 supplant, diminish, or regulate any employed physician's judgment
11 concerning the practice of medicine or the diagnosis and treatment of
12 any patient; and

13 (b) The employed physicians may provide professional services only
14 to residents of the nursing home or a related living facility.

15 (2) The employment of physicians as authorized by this section may
16 be through the following entities:

17 (a) Any entity that owns, controls, or manages the nursing home; or

18 (b) A separate entity authorized to conduct business in the state

1 of Washington that has common or overlapping ownership as an affiliate
2 or subsidiary of any entity that owns, controls, or manages the nursing
3 home.

4 (3) An entity employing physicians under this section shall notify
5 the department of such employment annually.

6 (4) As used in this section, "related living facility" means (a) a
7 separate nursing home that is owned, controlled, or managed by the same
8 or an affiliated or subsidiary entity; or (b) a facility that (i)
9 provides independent living services or boarding home services under
10 chapter 18.20 RCW, in a single contiguous campus as the nursing home,
11 and (ii) is owned, controlled, or managed by the same or related entity
12 as the nursing home. For purposes of this subsection "contiguous"
13 means land adjoining or touching property on which the nursing home is
14 located, including land divided by a public road.

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