
SUBSTITUTE SENATE BILL 5562

State of Washington

63rd Legislature

2013 Regular Session

By Senate Health Care (originally sponsored by Senators Becker, Cleveland, Schlicher, Bailey, and Keiser)

READ FIRST TIME 02/22/13.

1 AN ACT Relating to encouraging patient self-determination and
2 health care planning by promoting the use of a form developed pursuant
3 to RCW 43.70.480; and amending RCW 43.70.480.

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

5 **Sec. 1.** RCW 43.70.480 and 2000 c 70 s 1 are each amended to read
6 as follows:

7 (1) The department of health shall adopt guidelines and protocols
8 for how emergency medical personnel shall respond when summoned to the
9 site of an injury or illness for the treatment of a person who has
10 signed a written directive or durable power of attorney requesting that
11 he or she not receive futile emergency medical treatment. The
12 guidelines shall include development of a ~~((simple))~~ medical order form
13 that shall be used statewide.

14 (2) Any provider as defined in subsection (3)(a) (i), (ii), or
15 (iii) of this section or any facility, who participates in the
16 provision of medical care or in the withholding or withdrawal of life-
17 sustaining treatment, or any provider defined in subsection (3)(a) (iv)
18 or (v) of this section, who participates in the provision of or the
19 withholding or withdrawal of life-sustaining treatment, in accordance

1 with the directions contained in the form developed under subsection
2 (1) of this section is immune from legal liability, including civil,
3 criminal, and professional conduct sanctions, as long as such
4 participation has been conducted in good faith, within the scope of his
5 or her credentials or employment, and is not found to be negligent
6 under chapter 7.70 RCW.

7 (3) For purposes of this section:

8 (a) "Provider" includes:

9 (i) A physician licensed under chapter 18.71 RCW, an osteopathic
10 physician licensed under chapter 18.57 RCW, an advanced registered
11 nurse practitioner licensed under chapter 18.79 RCW, a physician
12 assistant licensed under chapter 18.71A RCW, and an osteopathic
13 physician's assistant licensed under chapter 18.57A RCW;

14 (ii) Any credentialed health care provider acting under the
15 direction of an individual identified in (a)(i) of this subsection;

16 (iii) Any credentialed provider listed under RCW 18.71.210;

17 (iv) Any credentialed provider regulated under chapter 18.130 RCW;

18 and

19 (v) Any long-term care worker exempted from certification
20 requirements under RCW 18.88B.041(1).

21 (b) "Facility" includes a hospital licensed under chapter 70.41
22 RCW, a nursing home licensed under chapter 18.51 RCW, a home care
23 agency, a home health agency or hospice agency licensed under chapter
24 70.127 RCW, a community residential services business established under
25 chapter 71A.10 RCW, an assisted living facility licensed under chapter
26 18.20 RCW, an adult family home licensed under chapter 70.128 RCW, an
27 institution licensed under chapter 71.12 RCW, a state hospital
28 designated under chapter 72.23 RCW, a clinic that is part of a
29 community mental health service delivery system established under
30 chapter 71.24 RCW, a long-term care facility as defined in RCW
31 43.190.020, any state veterans' home established under chapter 72.36
32 RCW, any entity identified in RCW 18.71.210, and any kidney disease
33 treatment center.

34 (4) Nothing in this chapter may be interpreted to change the
35 standard of care with respect to: (a) Health care provided in
36 accordance with a directive under chapter 70.122 RCW; or (b) persons

1 authorized to provide informed consent to health care on behalf of a
2 patient who is not competent to consent under RCW 7.70.065.

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