
SENATE BILL 5562

State of Washington 63rd Legislature 2013 Regular Session

By Senators Becker, Cleveland, Schlicher, Bailey, and Keiser

Read first time 02/04/13. Referred to Committee on Health Care .

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 (a)(i), (ii), or (iii) of this
15 subsection or any facility, who participates in the provision of
16 medical care or in the withholding or withdrawal of life-sustaining
17 treatment, or any provider defined in (a)(iv) of this subsection, who
18 participates in the provision of or the withholding or withdrawal of
19 life-sustaining treatment, in accordance with the directions contained

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

6 (3) For purposes of this section:

7 (a) "Provider" includes:

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

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

15 (iii) Any credentialed provider listed under RCW 18.71.210; and

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

17 or

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

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

31 (4) Nothing in this chapter may be interpreted to change the
32 standard of care with respect to: (a) Health care provided in
33 accordance with a directive under chapter 70.122 RCW or (b) persons
34 authorized to provide informed consent to health care on behalf of a
35 patient who is not competent to consent under RCW 7.70.065.

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