
SENATE BILL 5629

State of Washington

63rd Legislature

2013 Regular Session

By Senators Schlicher and Frockt

Read first time 02/06/13. Referred to Committee on Health Care .

1 AN ACT Relating to emergency department overcrowding; adding a new
2 section to chapter 70.41 RCW; creating new sections; prescribing
3 penalties; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** Given the multiple complex forces that lead
6 to boarding and overcrowding in emergency departments, the legislature
7 intends to not prescribe a solution, but to provide incentives for each
8 individual institution to find its own solution to emergency department
9 overcrowding.

10 NEW SECTION. **Sec. 2.** (1) The department of health must convene a
11 stakeholders meeting to include, but not be limited to, the following:
12 The Washington state medical association, the Washington state hospital
13 association, the Washington chapter of the American college of
14 emergency physicians, and other interested parties. At a minimum, the
15 stakeholder group must review the following recommendations and
16 determine which methods are in use now in the state of Washington, and
17 which will best reduce boarding practices in hospitals, taking into

1 account the varying patient needs and hospital resources in hospitals
2 throughout the state:

3 (a) Moving patients out of emergency departments as soon as they
4 are admitted by requiring other hospital departments to care for
5 additional emergency department patients;

6 (b) Using industrial production models to move patients through the
7 emergency department more efficiently;

8 (c) Eliminating delays in registration and laboratory tests for
9 emergency department patients;

10 (d) Providing patients with home care aides to avoid admission of
11 emergency department patients;

12 (e) Coordinating the discharge of hospital patients before noon to
13 improve the flow of patients through emergency departments by making
14 more inpatient beds available to emergency patients; and

15 (f) Coordinating the scheduling of elective patients and surgical
16 patients to avoid high use of inpatient beds during the week and
17 exploring scheduling some procedures to use beds on weekends.

18 (2) To assist the department in developing recommendations under
19 subsection (1) of this section, all hospitals subject to chapter 70.41
20 RCW must provide the department of health with data on their emergency
21 department boarding rates and current activities aimed at reducing
22 boarding at their facilities.

23 (3) For the purposes of this section, "boarding" has the same
24 meaning as in section 3 of this act.

25 (4) The health care authority must report the results of the
26 stakeholder group's activities to the health care committees of the
27 senate and the house of representatives by December 31, 2013.

28 (5) This section expires January 1, 2014.

29 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.41 RCW
30 to read as follows:

31 (1) Except as provided in subsection (2) of this section, beginning
32 January 1, 2015, hospitals that experience boarding and overcrowding
33 are subject to a fine of five hundred dollars per patient held per day,
34 determined at six o'clock in the morning daily.

35 (2) Fines collected under this section must be used to fund the
36 prescription monitoring program and to assist in the coordination of
37 care efforts identified by the stakeholder group under section 2 of

1 this act. If fines exceed the amount needed to fund the prescription
2 monitoring program, excess funds must be used to fund access to care
3 for uninsured patients programs.

4 (3) The penalty under subsection (1) of this section does not apply
5 during recognized epidemic periods and other unforeseen events to be
6 determined by the stakeholder group in section 2 of this act.

7 (4) The department of health must adopt rules establishing what
8 constitutes a recognized epidemic period and other unforeseen events
9 for the purposes of enforcing this section.

10 (5) For the purposes of this section, "boarding" means the practice
11 of holding patients in a hospital emergency department after the
12 decision to admit them to the hospital has been made and who do not
13 require emergency care.

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