

ESHB 1186 - S COMM AMD
By Committee on Health Care

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 70.41
4 RCW to read as follows:

5 (1) Each hospital shall provide oral and written notification to
6 any patient or patient's legal representative within twenty-four
7 hours of classifying the patient as an outpatient in observation
8 status unless the patient has been discharged or has left the
9 hospital prior to the expiration of the twenty-four-hour period.
10 Except for those patients who are eligible for both medicare and
11 medicaid, hospitals are not required to provide notice to patients
12 who are enrolled in medicaid. The notice must include:

13 (a) A statement that the patient is classified as an outpatient
14 in observation status and is not admitted as an inpatient to the
15 hospital;

16 (b) A statement that outpatient observation status may affect the
17 patient's medicare or private insurance coverage for:

18 (i) Hospital services, including medications and pharmaceutical
19 supplies; or

20 (ii) Home or community-based care or care at a skilled nursing
21 facility upon the patient's discharge; and

22 (c) A recommendation that the patient or the patient's legal
23 representative:

24 (i) Contact the patient's insurance provider to better understand
25 the implications of being classified as an outpatient in observation
26 status; and

27 (ii) Conduct a timely review of any benefit statements provided
28 by the patient's insurance provider, including any medicare summary
29 notice or explanation of benefits, and contact the patient's
30 insurance provider with any concerns.

31 (2) The department, in consultation with hospitals in the state,
32 shall adopt rules to standardize elements to be included in the
33 notice required under this section.

1 (3) For the purposes of this section, "observation status" means
2 the classification of a patient as an outpatient while a decision is
3 made regarding whether the patient will require further treatment as
4 a hospital inpatient or if the patient may be able to be discharged
5 from the hospital."

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6 On page 1, line 2 of the title, after "hospitals;" strike the
7 remainder of the title and insert "and adding a new section to
8 chapter 70.41 RCW."

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