

2SSB 6534 - S AMD 617

By Senators O'Ban, Darneille

ADOPTED 02/16/2016

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

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 70.54
4 RCW to read as follows:

5 (1) For the purposes of this section, "maternal mortality" or
6 "maternal death" means a death of a woman while pregnant or within
7 one year of delivering or following the end of a pregnancy, whether
8 or not the woman's death is related to or aggravated by the
9 pregnancy.

10 (2) A maternal mortality review panel is established to conduct
11 comprehensive, multidisciplinary reviews of maternal deaths in
12 Washington to identify factors associated with the deaths and make
13 recommendations for system changes to improve health care services
14 for women in this state. The members of the panel must be appointed
15 by the secretary of the department of health, must serve without
16 compensation, and may include:

- 17 (a) An obstetrician;
- 18 (b) A physician specializing in maternal fetal medicine;
- 19 (c) A neonatologist;
- 20 (d) A midwife with licensure in the state of Washington;
- 21 (e) A representative from the department of health who works in
22 the field of maternal and child health;
- 23 (f) A department of health epidemiologist with experience
24 analyzing perinatal data;
- 25 (g) A pathologist; and
- 26 (h) A representative of the community mental health centers.

27 (3) The maternal mortality review panel must conduct
28 comprehensive, multidisciplinary reviews of maternal mortality in
29 Washington. The panel may not call witnesses or take testimony from
30 any individual involved in the investigation of a maternal death or
31 enforce any public health standard or criminal law or otherwise
32 participate in any legal proceeding relating to a maternal death.

1 (4)(a) The maternal mortality review panel's proceedings,
2 records, and opinions are confidential and are not subject to
3 disclosure under chapter 42.56 RCW. Panel members may not be
4 questioned in any civil or criminal proceeding regarding the
5 information presented in or opinions formed as a result of a meeting
6 of the panel. This subsection does not prevent a member of the panel
7 from testifying to information obtained independently of the panel or
8 which is public information.

9 (b) The maternal mortality review panel and the secretary of the
10 department of health may retain identifiable information regarding
11 facilities where maternal deaths, or from which the patient was
12 transferred, occur and geographic information on each case solely for
13 the purposes of trending and analysis over time. All individually
14 identifiable information must be removed before any case review by
15 the panel.

16 (5) The department of health shall review department available
17 data to identify maternal deaths. To aid in determining whether a
18 maternal death was related to or aggravated by the pregnancy, and
19 whether it was preventable, the department of health has the
20 authority to:

21 (a) Access all data relating to maternal deaths provided under
22 RCW 70.56.020;

23 (b) Request and receive data for specific maternal deaths
24 including, but not limited to, full medical records, root cause
25 analyses, autopsy reports, medical examiner reports, coroner reports,
26 and social service records; and

27 (c) Request and receive data as described in (b) of this
28 subsection from health care providers, health care facilities,
29 clinics, laboratories, medical examiners, coroners, professions and
30 facilities licensed by the department of health, local health
31 jurisdictions, the health care authority and its licensees and
32 providers, and the department of social and health services and its
33 licensees and providers.

34 (6) By July 1, 2017, and biennially thereafter, the maternal
35 mortality review panel must submit a report to the secretary of the
36 department of health and the health care committees of the senate and
37 house of representatives. The report must protect the confidentiality
38 of all decedents and other participants involved in any incident. The
39 report must be distributed to relevant stakeholder groups for
40 performance improvement. Interim results may be shared at the

1 Washington state hospital association coordinated quality improvement
2 program. The report must include the following:

3 (a) A description of the maternal deaths reviewed by the panel
4 during the preceding twenty-four months, including statistics and
5 causes of maternal deaths presented in the aggregate, but the report
6 must not disclose any identifying information of patients, decedents,
7 providers, and organizations involved; and

8 (b) Evidence-based system changes and possible legislation to
9 improve maternal outcomes and reduce preventable maternal deaths in
10 Washington.

11 (7) This section expires June 30, 2020."

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12 On page 1, line 2 of the title, after "panel;" strike the
13 remainder of the title and insert "adding a new section to chapter
14 70.54 RCW; and providing an expiration date."

EFFECT: The membership of the review panel is permissive and no longer includes a member of the public. The Department of Health will review department available data to identify maternal deaths, and the process is clarified as to how the department will identify and review such information. Clarifications and technical changes are made.

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