
HOUSE BILL 1721

State of Washington

64th Legislature

2015 Regular Session

By Representatives Robinson, Schmick, Cody, Harris, Riccelli, and Van De Wege

Read first time 01/27/15. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to the transport of patients by ambulance to
2 facilities other than hospitals; amending RCW 70.168.100 and
3 18.71.210; adding a new section to chapter 70.168 RCW; adding a new
4 section to chapter 18.73 RCW; and adding a new section to chapter
5 74.09 RCW.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.168
8 RCW to read as follows:

9 (1) The department, in consultation with the department of social
10 and health services, shall convene a work group comprised of members
11 of the steering committee and representatives of ambulance services,
12 mental health providers, and chemical dependency treatment
13 programs. The work group shall establish alternative facility
14 guidelines for the development of protocols and procedures for the
15 appropriate transport of patients in need of immediate mental health
16 or chemical dependency services.

17 (2) The alternative facility guidelines shall consider when
18 transport to a mental health facility or chemical dependency
19 treatment program is necessary as determined by:

20 (a) The presence of a medical emergency that requires immediate
21 medical care;

1 (b) The severity of the mental health or substance use disorder
2 needs of the patient;

3 (c) The training of emergency medical service personnel to
4 respond to a patient experiencing emergency mental health or
5 substance use disorders; and

6 (d) The risk the patient presents to the patient's self, the
7 public, and the emergency medical service personnel.

8 (3) By July 1, 2016, the department shall make the guidelines
9 available to all regional emergency medical services and trauma care
10 councils for incorporation into regional emergency medical services
11 and trauma care plans under RCW 70.168.100.

12 **Sec. 2.** RCW 70.168.100 and 1990 c 269 s 13 are each amended to
13 read as follows:

14 Regional emergency medical services and trauma care councils are
15 established. The councils (~~shall~~):

16 (1) By June 1990, shall begin the development of regional
17 emergency medical services and trauma care plans to:

18 (a) Assess and analyze regional emergency medical services and
19 trauma care needs;

20 (b) Identify personnel, agencies, facilities, equipment,
21 training, and education to meet regional and local needs;

22 (c) Identify specific activities necessary to meet statewide
23 standards and patient care outcomes and develop a plan of
24 implementation for regional compliance;

25 (d) Establish and review agreements with regional providers
26 necessary to meet state standards;

27 (e) Establish agreements with providers outside the region to
28 facilitate patient transfer;

29 (f) Include a regional budget;

30 (g) Establish the number and level of facilities to be designated
31 which are consistent with state standards and based upon availability
32 of resources and the distribution of trauma within the region;

33 (h) Identify the need for and recommend distribution and level of
34 care of prehospital services to assure adequate availability and
35 avoid inefficient duplication and lack of coordination of prehospital
36 services within the region; (~~and~~)

37 (i) Identify procedures to allow for the appropriate transport of
38 patients to mental health facilities or chemical dependency programs,

1 as informed by the alternative facility guidelines adopted under
2 section 1 of this act; and

3 (j) Include other specific elements defined by the department;

4 (2) By June 1991, shall begin the submission of the regional
5 emergency medical services and trauma care plan to the department;

6 (3) Shall advise the department on matters relating to the
7 delivery of emergency medical services and trauma care within the
8 region;

9 (4) Shall provide data required by the department to assess the
10 effectiveness of the emergency medical services and trauma care
11 system;

12 (5) May apply for, receive, and accept gifts and other payments,
13 including property and service, from any governmental or other public
14 or private entity or person, and may make arrangements as to the use
15 of these receipts, including any activities related to the design,
16 maintenance, or enhancements of the emergency medical services and
17 trauma care system in the region. The councils shall report in the
18 regional budget the amount, source, and purpose of all gifts and
19 payments.

20 NEW SECTION. Sec. 3. A new section is added to chapter 18.73
21 RCW to read as follows:

22 An ambulance service may transport patients to a nonmedical
23 facility, such as a mental health facility or chemical dependency
24 program as authorized in regional emergency medical services and
25 trauma care plans under RCW 70.168.100.

26 **Sec. 4.** RCW 18.71.210 and 1997 c 275 s 1 are each amended to
27 read as follows:

28 (1) No act or omission of any physician's trained emergency
29 medical service intermediate life support technician and paramedic,
30 as defined in RCW 18.71.200, or any emergency medical technician or
31 first responder, as defined in RCW 18.73.030, done or omitted in good
32 faith while rendering emergency medical service under the responsible
33 supervision and control of a licensed physician or an approved
34 medical program director or delegate(s) to a person who has suffered
35 illness or bodily injury shall impose any liability upon:

36 ((+1)) (a) The physician's trained emergency medical service
37 intermediate life support technician and paramedic, emergency medical
38 technician, or first responder;

- 1 ~~((2))~~ (b) The medical program director;
2 ~~((3))~~ (c) The supervising physician(s);
3 ~~((4))~~ (d) Any hospital, the officers, members of the staff,
4 nurses, or other employees of a hospital;
5 ~~((5))~~ (e) Any training agency or training physician(s);
6 ~~((6))~~ (f) Any licensed ambulance service; or
7 ~~((7))~~ (g) Any federal, state, county, city or other local
8 governmental unit or employees of such a governmental unit.

9 (2) This section shall apply to an act or omission committed or
10 omitted in the performance of the actual emergency medical procedures
11 and not in the commission or omission of an act which is not within
12 the field of medical expertise of the physician's trained emergency
13 medical service intermediate life support technician and paramedic,
14 emergency medical technician, or first responder, as the case may be.

15 (3) This section shall apply also, as to the entities and
16 personnel described in subsection ~~((s))~~ (1) ~~((through--(7)))~~ of this
17 section, to any act or omission committed or omitted in good faith by
18 such entities or personnel in rendering services at the request of an
19 approved medical program director in the training of emergency
20 medical service personnel for certification or recertification
21 pursuant to this chapter.

22 (4) This section shall apply also, as to the entities and
23 personnel described in subsection (1) of this section, to any act or
24 omission committed or omitted in good faith by such entities or
25 personnel involved in the transport of patients to mental health
26 facilities or chemical dependency programs, in accordance with
27 applicable alternative facility procedures adopted under RCW
28 70.168.100.

29 (5) This section shall not apply to any act or omission which
30 constitutes either gross negligence or willful or wanton misconduct.

31 NEW SECTION. Sec. 5. A new section is added to chapter 74.09
32 RCW to read as follows:

33 The authority shall develop a reimbursement methodology for
34 ambulance services when transporting a medical assistance enrollee to
35 a mental health facility or chemical dependency program in accordance
36 with the applicable alternative facility procedures adopted under RCW
37 70.168.100.

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