
Health Care & Wellness Committee

HB 2482

Brief Description: Concerning limitations on health care provider services imposed by health care entities.

Sponsors: Representatives Macri, Jinkins, Doglio and Robinson.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Prohibits, under certain circumstances, a health care entity from limiting a health care provider's practice, ability to provide information to patients, or ability to make referrals.

Hearing Date: 2/2/18

Staff: Jim Morishima (786-7191).

Background:

Credentialed health care providers are licensed and subject to professional discipline under the Uniform Disciplinary Act (UDA). Under the UDA, the disciplining authority may take action against a provider for a variety of reasons, including unprofessional conduct, unlicensed practice, and the mental or physical inability to practice skillfully or safely. The Secretary of Health is the disciplining authority for many providers and various boards and commissions are the disciplining authorities for the remainder.

The scope of practice of each health profession is established in statute. Individual disciplining authorities may engage in activities that interpret or implement a health profession's statutory scope of practice, including rule making, policy or interpretive statements, declarative orders, practice guidelines, and formal disciplinary action.

Summary of Bill:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

When a health care provider is acting in good faith, within his or her scope of practice, and within the standard of care, a health care entity may not:

- limit the provider's provision of medically accurate and comprehensive information to a patient regarding the patient's health status;
- limit the health provider's provision of information regarding the Death with Dignity Act;
- limit the health provider's referrals or the timing of referrals; or
- prohibit the provider from providing health services in cases in which failure to provide the services would pose a serious risk to an individual's life or health or would violate the standard of care.

A health care entity may, however, limit a health care provider's practice for purposes of complying with the network or utilization review requirement of an insurance program, quality control, or patient safety.

A patient, health care provider, or an individual may bring a civil action against a health care entity to enjoin violations, recover damages, or both, and may recover reasonable attorneys' fees.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.