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SENATE BILL 6247

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State of Washington

65th Legislature

2018 Regular Session

By Senators Kuderer and Wellman

Read first time 01/10/18. Referred to Committee on Health & Long Term Care.

1 AN ACT Relating to protecting patient care; adding a new chapter  
2 to Title 18 RCW; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** The definitions in this section apply  
5 throughout this chapter unless the context clearly requires  
6 otherwise.

7 (1) "Health care entity" means an entity that directly or  
8 indirectly employs, supervises, controls, grants privileges to, or  
9 directs or restricts the practice of, a health care provider.

10 (2) "Health care provider" has the same meaning as in RCW  
11 70.02.010.

12 (3) "Medically accurate" means information that is verified or  
13 supported by research in compliance with scientific methods, is  
14 published in peer-reviewed journals, where appropriate, and is  
15 recognized as accurate and objective by professional organizations  
16 and agencies with expertise in the relevant field.

17 NEW SECTION. **Sec. 2.** (1) Except as provided in subsection (2)  
18 of this section, if a health care provider is acting in good faith,  
19 within the provider's authorized scope of practice, and within the  
20 relevant standard of care, a health care entity may not:

1 (a) Limit the health care provider's provision of medically  
2 accurate and comprehensive information to a patient regarding the  
3 patient's health status, including, but not limited to, diagnosis,  
4 prognosis, recommended treatment, treatment alternatives, and any  
5 potential risks to the patient's health or life;

6 (b) Limit the health care provider's provision of information  
7 regarding Washington's death with dignity act, chapter 70.245 RCW;

8 (c) Limit the health care provider's referrals, or the timing of  
9 referrals; or

10 (d) Prohibit the health care provider from providing health  
11 services in cases in which failure to provide the services would pose  
12 a serious risk to an individual's life or health or would violate the  
13 standard of care.

14 (2) Nothing in this section prohibits a health care entity from  
15 limiting a health care provider's practice for purposes of:

16 (a) Complying with the network or utilization review requirements  
17 of any program or entity authorized by state or federal law to  
18 provide insurance coverage for health care services to enrollees; or

19 (b) Quality control or patient safety.

20 NEW SECTION. **Sec. 3.** A patient, health care provider, or an  
21 individual, who is aggrieved by a violation of section 1 of this act,  
22 may bring a civil action against a health care entity to enjoin  
23 further violations, to recover damages, or both, and may recover  
24 costs and reasonable attorneys' fees.

25 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act  
26 constitute a new chapter in Title 18 RCW.

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