

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE HOUSE BILL 1608**

66th Legislature  
2020 Regular Session

Passed by the House February 17, 2020  
Yeas 65 Nays 33

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**Speaker of the House of  
Representatives**

Passed by the Senate March 4, 2020  
Yeas 39 Nays 7

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1608** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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ENGROSSED SUBSTITUTE HOUSE BILL 1608

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Passed Legislature - 2020 Regular Session

State of Washington

66th Legislature

2019 Regular Session

By House Health Care & Wellness (originally sponsored by Representatives Macri, Dolan, Slatter, Stonier, Robinson, Kilduff, Riccelli, Senn, Goodman, Tharinger, Jinkins, Davis, Cody, Appleton, Kloba, Ortiz-Self, Valdez, Frame, Pollet, Stanford, Tarleton, and Leavitt)

READ FIRST TIME 02/22/19.

1 AN ACT Relating to protecting patient care; adding a new section  
2 to chapter 43.70 RCW; and adding a new chapter to Title 70 RCW.

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) "Department" means the department of health.

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

11 (3) "Health care provider" has the same meaning as in RCW  
12 70.02.010.

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

18 NEW SECTION. **Sec. 2.** (1) If a health care provider is acting in  
19 good faith, within the provider's scope of practice, education,  
20 training, and experience, including specialty areas of practice and

1 board certification, and within the accepted standard of care, a  
2 health care entity may not:

3 (a) Limit the health care provider's provision of:

4 (i) Medically accurate and comprehensive information and  
5 counseling to a patient regarding the patient's health status  
6 including, but not limited to, diagnosis, prognosis, recommended  
7 treatment, treatment alternatives, and any potential risks to the  
8 patient's health or life; and

9 (ii) Information about available services and about what relevant  
10 resources are available in the community and how to access those  
11 resources for obtaining the care of the patient's choice;

12 (b) Limit the health care provider's provision of information  
13 about and regarding Washington's death with dignity act, chapter  
14 70.245 RCW, information about what relevant resources are available  
15 in the community, and how to access those resources for obtaining the  
16 care of the patient's choice.

17 (2) A health care entity may not discharge, demote, suspend,  
18 discipline, or otherwise discriminate against a health care provider  
19 for providing information in compliance with this section.

20 (3) If any part of this section is found to be in conflict with  
21 federal requirements which are a prescribed condition to the receipts  
22 of federal funds to the state, the conflicting part of this section  
23 is inoperative solely to the extent of the conflict with respect to  
24 the agencies directly affected, and such finding or determination  
25 shall not affect the operation of the remainder of the section.

26 NEW SECTION. **Sec. 3.** A health care entity must provide the  
27 information prepared by the department under section 4(1) of this act  
28 at the time of hiring, contracting with, or privileging health care  
29 providers and staff, and on a yearly basis thereafter. Hospitals must  
30 also provide information to clearly inform health care providers and  
31 staff of the provisions of the federal emergency medical treatment  
32 and labor act (42 U.S.C. Sec. 1395dd), including obligations to  
33 screen, stabilize, and transfer patients, at the time of hiring,  
34 contracting with, or privileging health care providers and staff, and  
35 on a yearly basis thereafter.

36 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.70  
37 RCW to read as follows:

1           (1) The department must design, prepare, and make available  
2 online, written materials to clearly inform health care providers and  
3 staff of the provisions of, and authority to act under, chapter  
4 70.--- RCW (the new chapter created in section 5 of this act).

5           (2) The department must design, prepare, and make available  
6 online, written materials to provide information to providers and  
7 patients regarding Washington's death with dignity act, chapter  
8 70.245 RCW.

9           NEW SECTION.       **Sec. 5.**       Sections 1 through 3 of this act  
10 constitute a new chapter in Title 70 RCW.

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