

RCW 4.24.810 Liability immunity—Credentialing or granting practice privileges to health care providers responding to emergencies.

(1) Except as provided in subsection (2) of this section, any health care provider credentialing or granting practice privileges to other health care providers to deliver health care in response to an emergency is immune from civil liability arising out of such credentialing or granting of practice privileges if: (a) The health care provider so credentialed or granted practice privileges was responding to an emergency; and (b) the procedures utilized for credentialing and granting practice privileges were substantially consistent with the standards for granting emergency practice privileges adopted by the joint commission on the accreditation of health care organizations.

(2) This section does not apply to any acts or omissions constituting gross negligence or willful or wanton misconduct.

(3) For purposes of this section:

(a) "Ambulatory surgical facility" has the same meaning as provided in RCW 70.230.010.

(b) "Clinic" means a place for treatment of patients on an outpatient basis by a health care provider.

(c) "Credentialing" means the collection, verification, and assessment of whether a health care provider meets relevant licensing, education, and training requirements.

(d) "Emergency" means an event or set of circumstances for which the governor has proclaimed a state of emergency pursuant to RCW 43.06.010.

(e) "Health care provider" means:

(i) A member of a profession identified in RCW 7.70.020(1);

(ii) An employee or agent of a member of such a profession acting in the course and scope of his or her employment;

(iii) An entity, whether or not incorporated, facility, or institution employing, credentialing, or providing practice privileges to one or more persons described in (e)(i) of this subsection including, but not limited to, a hospital, ambulatory surgical facility, clinic, health maintenance organization, or nursing home, or an officer, director, employee, or agent thereof acting in the course and scope of his or her employment;

(iv) A pharmacist or pharmacy as defined in RCW 18.64.011; or

(v) In the event any person identified in (e)(i) through (iv) of this subsection is deceased, his or her estate or personal representative.

(f) "Health maintenance organization" has the same meaning as provided in RCW 48.46.020.

(g) "Hospital" has the same meaning as provided in RCW 70.41.020.

(h) "Nursing home" has the same meaning as provided in RCW 18.51.010. [2014 c 159 s 1.]