**1186-S.E AMS HLTH S2894.1 - NOT FOR FLOOR USE**

**ESHB 1186** - S COMM AMD

By Committee on Health Care

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  A new section is added to chapter 70.41 RCW to read as follows:

(1) Each hospital shall provide oral and written notification to any patient or patient's legal representative within twenty-four hours of classifying the patient as an outpatient in observation status unless the patient has been discharged or has left the hospital prior to the expiration of the twenty-four-hour period. Except for those patients who are eligible for both medicare and medicaid, hospitals are not required to provide notice to patients who are enrolled in medicaid. The notice must include:

(a) A statement that the patient is classified as an outpatient in observation status and is not admitted as an inpatient to the hospital;

(b) A statement that outpatient observation status may affect the patient's medicare or private insurance coverage for:

(i) Hospital services, including medications and pharmaceutical supplies; or

(ii) Home or community-based care or care at a skilled nursing facility upon the patient's discharge; and

(c) A recommendation that the patient or the patient's legal representative:

(i) Contact the patient's insurance provider to better understand the implications of being classified as an outpatient in observation status; and

(ii) Conduct a timely review of any benefit statements provided by the patient's insurance provider, including any medicare summary notice or explanation of benefits, and contact the patient's insurance provider with any concerns.

(2) The department, in consultation with hospitals in the state, shall adopt rules to standardize elements to be included in the notice required under this section.

(3) For the purposes of this section, "observation status" means the classification of a patient as an outpatient while a decision is made regarding whether the patient will require further treatment as a hospital inpatient or if the patient may be able to be discharged from the hospital."

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On page 1, line 2 of the title, after "hospitals;" strike the remainder of the title and insert "and adding a new section to chapter 70.41 RCW."