S-1166.1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SENATE BILL 5778**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 64th Legislature 2015 Regular Session**

**By** Senators Becker, Frockt, Keiser, Bailey, Dammeier, Liias, Hatfield, Angel, Dansel, King, Baumgartner, Brown, Cleveland, Warnick, Honeyford, Parlette, Hill, Rivers, Fain, Braun, Litzow, Conway, Sheldon, Ericksen, and Hewitt

AN ACT Relating to ambulatory surgical facilities; amending RCW 70.230.100; amending 2007 c 273 s 7 (uncodified); adding a new section to chapter 70.230 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  (1) It is the intent of the legislature to ease the regulatory cost and burden on ambulatory surgical facilities by holding initial licensing fees and license renewal fees at their current level through the enactment of an inspection fee for ambulatory surgical facilities not certified as a medicare ambulatory surgical facility or accredited by a national organization with equivalent standards.

(2) On-site inspections drive department of health program expenditures and are one of the reasons the department continues to seek license and renewal fee increases. Preventing unnecessary and duplicative inspections will reduce the regulatory burden on ambulatory surgical facilities and the department of health, will hold down license and renewal fees, and will reward those facilities who seek out additional accreditations.

**Sec.**  RCW 70.230.100 and 2007 c 273 s 11 are each amended to read as follows:

(1) The department shall make or cause to be made a survey of all ambulatory surgical facilities every eighteen months. Every survey of an ambulatory surgical facility may include an inspection of every part of the surgical facility. The department may make an examination of all phases of the ambulatory surgical facility operation necessary to determine compliance with all applicable statutes, rules, and regulations. In the event that the department is unable to make a survey or cause a survey to be made during the three years of the term of the license, the license of the ambulatory surgical facility shall remain in effect until the state conducts a survey or a substitute survey is performed if the ambulatory surgical facility is in compliance with all other licensing requirements.

(2) An ambulatory surgical facility shall be deemed to have met the survey standards of this section if it submits proof of certification as a medicare ambulatory surgical facility or accreditation by an organization that the secretary has determined to have substantially equivalent survey standards to those of the department. A survey performed pursuant to medicare certification or by an approved accrediting organization may substitute for a survey by the department if((~~:~~

~~(a) The ambulatory surgical facility has satisfactorily completed a survey by the department in the previous eighteen months; and~~

~~(b)~~))within thirty days of learning the result of a survey, the ambulatory surgical facility provides the department with documentary evidence that the ambulatory surgical facility has been certified or accredited as a result of a survey and the date of the survey.

(3)(a) An ambulatory surgical facility not deemed to have met the survey standards in the manner outlined in subsection (2) of this section shall pay an inspection fee to the department of health established in section 3 of this act.

(b) An ambulatory surgical facility that submits proof of certification as a medicare ambulatory surgical facility or accreditation by an organization that the secretary has determined to have substantially equivalent survey standards to those of the department shall not pay an inspection fee established in section 3 of this act.

(4) Ambulatory surgical facilities shall make the written reports of surveys conducted pursuant to medicare certification procedures or by an approved accrediting organization available to department surveyors during any department surveys, upon request.

**Sec.**  2007 c 273 s 7 (uncodified) is amended to read as follows:

The department of health shall convene a group of interested stakeholders to identify relevant regulatory issues related to the implementation of ((~~this act~~))chapter 273, Laws of 2007, including a reasonable fee schedule for licenses and renewal licenses. The group shall report to the department on their recommendations no later than December 15, ((~~2007~~))2015. Until recommendations are reported to the department, the department may not increase fees for licenses and renewal licenses beyond what is implemented as of the effective date of this section.

NEW SECTION. **Sec.**  Section 3 of this act is added to chapter 70.230 RCW.

**--- END ---**