
SENATE BILL 5501

State of Washington

54th Legislature

1995 Regular Session

By Senators Bauer, Rinehart, Oke, Prince and Wojahn; by request of
Legislative Budget Committee

Read first time 01/25/95. Referred to Committee on Health & Long-Term
Care.

1 AN ACT Relating to hospital regulation and inspection; amending RCW
2 70.41.030, 70.41.040, 70.41.120, and 74.42.600; adding a new section to
3 chapter 70.41 RCW; and creating a new section.

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

5 **Sec. 1.** RCW 70.41.030 and 1989 c 175 s 127 are each amended to
6 read as follows:

7 The department shall establish and adopt such minimum standards and
8 rules pertaining to the construction, maintenance, and operation of
9 hospitals, and rescind, amend, or modify such rules from time to time,
10 as are necessary in the public interest, and particularly for the
11 establishment and maintenance of standards of hospitalization required
12 for the safe and adequate care and treatment of patients. To the
13 extent possible, the department shall endeavor to make such minimum
14 standards and rules consistent in format and general content with the
15 applicable hospital survey standards of the joint commission on the
16 accreditation of health care organizations.

17 **Sec. 2.** RCW 70.41.040 and 1985 c 213 s 18 are each amended to read
18 as follows:

1 The enforcement of the provisions of this chapter and the
2 standards, rules and regulations established under this chapter, shall
3 be the responsibility of the department which shall cooperate with the
4 joint commission on the accreditation of (~~hospitals~~) health care
5 organizations. The department shall advise on the employment of
6 personnel and the personnel shall be under the merit system or its
7 successor.

8 **Sec. 3.** RCW 70.41.120 and 1985 c 213 s 21 are each amended to read
9 as follows:

10 The department shall make or cause to be made at least yearly an
11 inspection of all hospitals. Every inspection of a hospital may
12 include an inspection of every part of the premises. The department
13 may make an examination of all phases of the hospital operation
14 necessary to determine compliance with the law and the standards, rules
15 and regulations adopted thereunder. Any licensee or applicant desiring
16 to make alterations or additions to its facilities or to construct new
17 facilities shall, before commencing such alteration, addition or new
18 construction, comply with the regulations prescribed by the department.

19 No hospital licensed pursuant to the provisions of this chapter
20 shall be required to be inspected or licensed under other state laws or
21 rules and regulations promulgated thereunder, or local ordinances,
22 relative to hotels, restaurants, lodging houses, boarding houses,
23 places of refreshment, nursing homes, maternity homes, or psychiatric
24 hospitals.

25 To avoid unnecessary duplication in inspections, the department
26 shall coordinate with the department of social and health services when
27 inspecting facilities over which both agencies have jurisdiction, the
28 facilities including but not necessarily being limited to hospitals
29 with both acute care and skilled nursing or psychiatric nursing
30 functions.

31 **Sec. 4.** RCW 74.42.600 and 1987 c 476 s 28 are each amended to read
32 as follows:

33 (1) In addition to the inspection required by chapter 18.51 RCW,
34 the department shall inspect the facility for compliance with resident
35 rights and direct care standards of this chapter. The department may
36 inspect any and all other provisions randomly, by exception profiles,
37 or during complaint investigations.

1 (2) If the facility has not complied with all the requirements of
2 this chapter, the department shall notify the facility in writing that
3 the facility is in noncompliance and describe the reasons for the
4 facility's noncompliance and the department may impose penalties in
5 accordance with RCW 18.51.060.

6 (3) To avoid unnecessary duplication in inspections, the department
7 shall coordinate with the department of health when inspecting
8 medicaid-certified or medicare-certified, or both, long-term care beds
9 in hospitals for compliance with Titles XVIII or XIX of the social
10 security act.

11 NEW SECTION. Sec. 5. A new section is added to chapter 70.41 RCW
12 to read as follows:

13 Notwithstanding RCW 70.41.120, a hospital accredited by the joint
14 commission on the accreditation of health care organizations is not
15 subject to the annual inspection provided for in RCW 70.41.120 if:

16 (1) The department determines that the applicable survey standards
17 of the joint commission on the accreditation of health care
18 organizations are substantially equivalent to its own;

19 (2) It has been inspected by the joint commission on the
20 accreditation of health care organizations within the previous twelve
21 months; and

22 (3) The department receives directly from the joint commission on
23 the accreditation of health care organizations or the hospital itself
24 copies of the survey reports prepared by the joint commission on the
25 accreditation of health care organizations demonstrating that the
26 hospital meets applicable standards.

27 NEW SECTION. Sec. 6. The Washington state department of health
28 shall study alternative strategies for achieving greater efficiency in
29 the hospital building design and review process, including, but not
30 necessarily limited to:

31 (1) Developing at the state level, with provision for input by
32 local jurisdictions, a single point of building plan review and
33 conflict resolution;

34 (2) Developing a process for joint conduct of building plan review
35 by affected jurisdictions; and

36 (3) Reviewing the feasibility of developing a system whereby
37 building inspectors are required to accept design decisions that are

1 made at the time a building permit is granted, except for changes due
2 to unforeseen circumstances.

3 The department shall report its findings and recommendations to the
4 appropriate committees of the legislature by January 1, 1996.

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