

FINAL BILL REPORT

SSB 5492

C 470 L 05

Synopsis as Enacted

Brief Description: Modifying hospital reporting of restrictions on health care practitioners.

Sponsors: Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Deccio, Kline, Parlette, Mulliken and Pflug; by request of Department of Health).

Senate Committee on Health & Long-Term Care
House Committee on Health Care

Background: Hospitals are required to report to certain state or federal government agencies when they take specific actions to restrict or terminate some health care providers' licenses. In Washington, when a hospital terminates or restricts the clinical privileges of a physician because of his or her commission of any act of unprofessional conduct, it must notify the Medical Quality Assurance Commission within sixty days of the action.

Nationally, hospitals and other health care entities must report any professional review actions that adversely affect a physician's or dentist's clinical privileges to the National Practitioner Data Bank (NPDB). Hospitals also have the option of reporting to the NPDB when any adverse actions are taken against the clinical privileges of health care providers other than physicians and dentists. Reports must be made to the NPDB within fifteen days from the date that action was taken.

Summary: The requirement that hospitals report to the Medical Quality Assurance Commission the restriction or termination of a physician's privilege due to the commission of an act of unprofessional conduct is broadened to include additional categories of health care providers. The broader requirements direct hospitals to report to the Department of Health (Department) when the practice of a health care provider is restricted, suspended, limited, or terminated due to the commission of an act of unprofessional conduct, or if it is voluntarily or involuntarily restricted or terminated to avoid action by a hospital.

The health professions that are subject to the reports are: pharmacists, occupational therapists, physical therapists, audiologists, speech-language pathologists, advanced registered nurse practitioners, dentists, naturopaths, optometrists, osteopathic physicians and surgeons, osteopathic physicians assistants, physicians, physician assistants, podiatrists, and psychologists.

The time for a hospital to report to the Department is reduced from sixty days to fifteen days. The fifteen day period will begin tolling: (1) from the date of the finding by the hospital that the practitioner has committed unprofessional conduct; or (2) from the date of the voluntary restriction or termination.

The maximum penalty for a hospital that does not comply with the reporting requirements remains \$250. A hospital, hospital administrator, or hospital executive officer that files a report is immune from liability related to the report.

The Department of Health must forward the reports received to the appropriate disciplining authority within fifteen days, and is also obliged to notify a hospital that has made a report of the results of a disposition as decided by the disciplining authority within fifteen days. The Department of Health may not increase hospital license fees to carry out this section before July 1, 2007.

Votes on Final Passage:

Senate	47	0	
House	98	0	(House amended)
Senate	49	0	(Senate concurred)

Effective: July 24, 2005