H-1722.1

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

**SUBSTITUTE HOUSE BILL 1186**

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

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

**By** House Health Care & Wellness (originally sponsored by Representatives Clibborn, Springer, Johnson, Senn, Moeller, McBride, Walkinshaw, Caldier, and Fey)

AN ACT Relating to notifications to patients in observation status at hospitals; and adding a new section to chapter 70.41 RCW.

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

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. 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, medicaid, 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 patient or the patient's legal representative must sign the statement to verify that he or she received the notice.

(3) 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.

(4) 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.

**--- END ---**