

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1445

Chapter 282, Laws of 1995

54th Legislature
1995 Regular Session

HOSPITAL REGULATION AND INSPECTION

EFFECTIVE DATE: 7/23/95

Passed by the House April 23, 1995
Yeas 96 Nays 0

CLYDE BALLARD

**Speaker of the
House of Representatives**

Passed by the Senate April 14, 1995
Yeas 48 Nays 0

JOEL PRITCHARD

President of the Senate

Approved May 9, 1995

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1445** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN

Chief Clerk

FILED

May 9, 1995 - 3:44 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 1445

AS AMENDED BY THE SENATE

Passed Legislature - 1995 Regular Session

State of Washington 54th Legislature 1995 Regular Session

By Representatives Silver, Valle, Sommers, Ogden, Fuhrman and Kremen;
by request of Legislative Budget Committee

Read first time 01/25/95. Referred to Committee on Health Care.

1 AN ACT Relating to hospital regulation and inspection; amending RCW
2 70.41.030, 18.106.010, 70.41.040, 70.41.120, and 74.42.600; adding a
3 new section to 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. The department shall adopt
17 standards that are at least equal to recognized applicable national
18 standards pertaining to medical gas piping systems.

1 **Sec. 2.** RCW 18.106.010 and 1983 c 124 s 1 are each amended to read
2 as follows:

3 Unless a different meaning is plainly required by the context, the
4 following words and phrases as hereinafter used in this chapter shall
5 have the following meaning:

6 (1) "Advisory board" means the state advisory board of plumbers;

7 (2) "Department" means the department of labor and industries;

8 (3) "Director" means the director of department of labor and
9 industries;

10 (4) "Journeyman plumber" means any person who has been issued a
11 certificate of competency by the department of labor and industries as
12 provided in this chapter;

13 (5) "Medical gas piping" means oxygen, nitrous oxide, high pressure
14 nitrogen, medical compressed air, and medical vacuum systems;

15 (6) "Specialty plumber" means anyone who has been issued a
16 specialty certificate of competency limited to installation,
17 maintenance, and repair of the plumbing of single family dwellings,
18 duplexes, and apartment buildings which do not exceed three stories;

19 (~~(6)~~) (7) "Plumbing" means that craft involved in installing,
20 altering, repairing and renovating potable water systems (~~and~~),
21 liquid waste systems, and medical gas piping systems within a building:
22 PROVIDED, That installation in a water system of water softening or
23 water treatment equipment shall not be within the meaning of plumbing
24 as used in this chapter.

25 **Sec. 3.** RCW 70.41.040 and 1985 c 213 s 18 are each amended to read
26 as follows:

27 The enforcement of the provisions of this chapter and the
28 standards, rules and regulations established under this chapter, shall
29 be the responsibility of the department which shall cooperate with the
30 joint commission on the accreditation of (~~hospitals~~) health care
31 organizations. The department shall advise on the employment of
32 personnel and the personnel shall be under the merit system or its
33 successor.

34 **Sec. 4.** RCW 70.41.120 and 1985 c 213 s 21 are each amended to read
35 as follows:

36 The department shall make or cause to be made at least yearly an
37 inspection of all hospitals. Every inspection of a hospital may

1 include an inspection of every part of the premises. The department
2 may make an examination of all phases of the hospital operation
3 necessary to determine compliance with the law and the standards, rules
4 and regulations adopted thereunder. Any licensee or applicant desiring
5 to make alterations or additions to its facilities or to construct new
6 facilities shall, before commencing such alteration, addition or new
7 construction, comply with the regulations prescribed by the department.

8 No hospital licensed pursuant to the provisions of this chapter
9 shall be required to be inspected or licensed under other state laws or
10 rules and regulations promulgated thereunder, or local ordinances,
11 relative to hotels, restaurants, lodging houses, boarding houses,
12 places of refreshment, nursing homes, maternity homes, or psychiatric
13 hospitals.

14 To avoid unnecessary duplication in inspections, the department
15 shall coordinate with the department of social and health services when
16 inspecting facilities over which both agencies have jurisdiction, the
17 facilities including but not necessarily being limited to hospitals
18 with both acute care and skilled nursing or psychiatric nursing
19 functions.

20 **Sec. 5.** RCW 74.42.600 and 1987 c 476 s 28 are each amended to read
21 as follows:

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

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

32 (3) To avoid unnecessary duplication in inspections, the department
33 shall coordinate with the department of health when inspecting
34 medicaid-certified or medicare-certified, or both, long-term care beds
35 in hospitals for compliance with Titles XVIII or XIX of the social
36 security act.

1 NEW SECTION. **Sec. 6.** A new section is added to chapter 70.41 RCW
2 to read as follows:

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

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

9 (2) It has been inspected by the joint commission on the
10 accreditation of health care organizations within the previous twelve
11 months; and

12 (3) The department receives directly from the joint commission on
13 the accreditation of health care organizations or the hospital itself
14 copies of the survey reports prepared by the joint commission on the
15 accreditation of health care organizations demonstrating that the
16 hospital meets applicable standards.

17 NEW SECTION. **Sec. 7.** The Washington state department of health
18 shall study alternative strategies for achieving greater efficiency in
19 the hospital building design and review process, including, but not
20 necessarily limited to:

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

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

26 (3) Reviewing the feasibility of developing a system whereby
27 building inspectors are required to accept design decisions that are
28 made at the time a building permit is granted, except for changes due
29 to unforeseen circumstances.

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

 Passed the House April 23, 1995.

 Passed the Senate April 14, 1995.

 Approved by the Governor May 9, 1995.

 Filed in Office of Secretary of State May 9, 1995.