
Health Care Committee

HB 1865

Brief Description: Improving patient safety practices.

Sponsors: Representatives Cody, Campbell, Morrell, Schual-Berke, Kenney, Haigh, Conway and Santos.

Brief Summary of Bill

- Creates the Patient Safety Account (Account) which is funded through a charge to health care professionals and facilities of 1 percent of their license fee and payment of 1 percent of any settlement or verdict in actions for injuries resulting from health care.
- Requires that money from the Account be used to fund medical error reduction and patient safety programs.

Hearing Date: 2/20/03

Staff: Chris Blake (786-7392).

Background:

Health Care Facility Quality Improvement Activities

Hospitals are required to maintain a quality improvement and medical malpractice prevention program. The program must include a committee to review the quality of medical care, periodic reviews of the credentials of health care providers, and patient safety-related education programs. Other licensed health care institutions and medical facilities may create their own quality improvement programs upon application to the Department of Health (Department).

Health Professions Licensing Fees

The Department and the various health profession boards and commissions issue credentials to 55 types of health care providers. There are over 250,000 credentialed health care providers in Washington. Fees for these credentials are established at a rate that will cover the cost to the Department to regulate the providers within each individual profession.

Actions for Injuries Resulting from Health Care

Claims from plaintiffs who allege to have been injured as a result of the health care services that they received may be based on one of three propositions: (1) that the health care provider failed to follow the accepted standard of care; (2) that the health care provider promised the patient that the resulting injury would not occur; or (3) that the injury was the result of health care services that the patient did not consent to receiving. The term health care providers— includes licensed health care providers, a health care facility, or the employee or agent of a licensed health care provider or health care facility. It is required that all actions for injuries resulting from health care go through mandatory mediation before a trial begins.

Summary of Bill:

The "Patient Safety Account" (Account) is created. The Account is to be funded in two ways. First, an additional 1 percent of the licensing fee for health care providers, acute care hospitals, psychiatric hospitals, and ambulatory diagnostic or surgical facilities shall be charged to the license holder. Second, 1 percent of the value of any settlement or verdict in an action for injuries resulting from health care must be provided to the Department of Health (Department) for transfer into the Account.

The Account is to be used for grants, loans, and other arrangements that support efforts to reduce medical errors and enhance patient safety. The Department must establish criteria for the types of programs to receive funds. The criteria must emphasize evidence-based practices recommended by governmental and private organizations including the Agency for Health Care Quality and Research, the Institute of Medicine, the Joint Commission on Accreditation of Health Care Organizations, and the National Quality Forum.

The Account is a non-appropriated account and the Secretary of Health may authorize expenditures.

Appropriation: None.

Fiscal Note: Requested on February 16, 2003.

Effective Date: The bill takes effect ninety days after adjournment of session in which bill is passed.