

# SENATE BILL REPORT

## SB 6485

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As Passed Senate, February 17, 2004

**Title:** An act relating to improving the regulatory environment for hospitals.

**Brief Description:** Improving the regulatory environment for hospitals.

**Sponsors:** Senators Deccio and Winsley.

**Brief History:**

**Committee Activity:** Health & Long-Term Care: 1/29/04 [DP].

Passed Senate: 2/17/04, 46-0.

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### SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

**Majority Report:** Do pass.

Signed by Senators Deccio, Chair; Winsley, Vice Chair; Brandland, Parlette and Thibaudeau.

**Staff:** Jonathan Seib (786-7427)

**Background:** In late 2002, the Washington State Hospital Association (WSHA) issued its report "How Regulations Are Overwhelming Washington Hospitals," outlining the difficulty and costs hospitals face in complying with the various federal, state and local regulations that govern their construction and operation. During the 2003 session, SB 5833 was introduced, requiring the coordination of hospital surveys and audits conducted by state agencies.

Prompted by this, in June 2003, the Governor directed the formation of the Hospital Onsite Survey Coordination Workgroup, made up of the WSHA and the various state agencies that regulate hospitals. He charged the workgroup with "exploring ways to streamline the frequency and duration of onsite survey activities, improving hospital notification when possible, and fostering greater coordination and less duplication of efforts." The workgroup issued a progress report, including its findings and recommendations, in November 2003.

**Summary of Bill:** The Department of Health (DOH) must oversee a pilot project including other relevant state agencies, which implements and evaluates strategies to reduce the burden on hospitals of government surveys and audits. Results of the pilot project must be reported to the Legislature by December 1, 2004.

By July 1, 2004, each state agency which conducts hospital surveys or audits must post to its agency web site a list of the most frequent problems identified in its surveys or audits, information on how to address the identified problems, and the name of a person within the agency that a hospital may contact with questions or for further assistance.

By July 1, 2004, the Department of Health must develop an instrument, to be provided to every hospital upon completion of a state survey or audit, which allows the hospital to

evaluate the survey or audit process. DOH must distribute the completed evaluations to the relevant agencies, and compile them in an annual report to the Legislature.

Any state agency that provides notice of a hospital survey or audit must do so no less than four weeks prior to the date of the survey or audit.

State hospital fire protection and enforcement standards must be consistent with the standards adopted by the federal centers for Medicare and Medicaid services for hospitals that care for Medicare or Medicaid beneficiaries.

The Office of the State Fire Marshal and relevant local agencies are added to the list of entities with whom DOH is to coordinate when conducting hospital inspections. DOH must notify each agency at least four weeks prior to any inspection, invite their attendance, and provide each a copy of its inspection report upon completion.

DOH must coordinate its hospital construction review process with other state and local agencies having similar review responsibilities. Inconsistencies or conflicts among the agencies must be identified and eliminated.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The provisions of this bill reflect the recommendations of the Hospital Onsite Survey Coordination Workgroup. There remains a myriad of federal, state and local regulations governing hospitals. Conflict among them, and a lack of coordination among agencies charged with their enforcement, is difficult for hospitals. The bill will assure that the efforts of the Workgroup will move forward. The regulatory environment for hospitals will become more consistent and efficient, allowing more resources to be focused on patient care.

**Testimony Against:** None.

**Testified:** PRO: Brenda Suiter, Washington State Hospital Association; Sue Shoblom, Department of Health; Mary Corso, State Fire Marshal.

**House Amendment(s):** The amendment specifies that the requirement that agencies provide at least four weeks notice prior to conducting a survey or audit of a hospital does not apply when the agency is responding to a complaint or immediate public health and safety concerns, or when it would conflict with other state or federal laws.