
SENATE BILL 5949

State of Washington

58th Legislature

2003 Regular Session

By Senators Deccio and Thibaudeau

Read first time 02/24/2003. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to hospital emergency services; and adding a new
2 section to chapter 70.41 RCW.

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

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

6 (1) A hospital shall provide emergency services twenty-four hours
7 per day, seven days per week in a designated area of the hospital. A
8 hospital shall meet all the requirements for emergency facilities that
9 are established by the department and shall provide emergency services
10 in a manner that meets the requirements established by federal law for
11 the medical screening and stabilization of patients, including women in
12 active labor, who present to the hospital for emergency services.

13 (2) A hospital providing emergency services under this section
14 shall have, at a minimum, the following:

15 (a) A physician who is qualified to provide emergency services
16 immediately available in the hospital;

17 (b) A roster of on-call medical staff members; and

18 (c) Procedures to minimize a patient's risk until the patient is
19 transported or transferred to another hospital if emergency services

1 cannot be provided at the hospital to meet the needs of the patient in
2 an emergency. A specialty hospital providing emergency services under
3 this section shall maintain a transfer agreement with a general
4 hospital that establishes the process for patient transfers in a
5 situation in which the specialty hospital cannot provide continuing
6 care for a patient because of the specialty hospital's scope of
7 services.

8 (3) This section does not apply to:

9 (a) A specialty hospital that provides only psychiatric or
10 rehabilitative services;

11 (b) A hospital that was licensed under chapter 70.41 RCW prior to
12 January 1, 2003, and either: (i) Did not meet the requirements of this
13 section as of January 1, 2003; or (ii) reported to the department
14 through the regular licensing process that the hospital's scope of
15 services would not include emergency services during the licensing
16 period in effect as of January 1, 2003; or

17 (c) A specialty hospital that is operated or controlled by an
18 entity or health care system that operates or controls at least one
19 general hospital within the same county as the specialty hospital if
20 the specialty hospital maintains a written transfer agreement with a
21 general hospital that provides emergency services.

22 (4) For the purposes of this section:

23 (a) "Emergency services" means health care services medically
24 necessary to evaluate and treat a medical condition that manifests
25 itself by the acute onset of a symptom or symptoms, including severe
26 pain, that would lead a prudent layperson acting reasonably to believe
27 that a health condition exists that requires immediate medical
28 attention, and that the absence of immediate medical attention could
29 reasonably be expected to result in serious impairment to bodily
30 functions or serious dysfunction of a bodily organ or part, or would
31 place the person's health (or in the case of a pregnant woman, the
32 health of the woman or her unborn child) in serious jeopardy;

33 (b) "General hospital" means a hospital that provides general acute
34 care services, including emergency services;

35 (c) "Specialty hospital" means a subclass of hospital that either
36 provides hospital services within a specific branch of medicine or
37 limits admission according to age, sex, type of disease, or medical
38 condition;

1 (d) "Transfer agreement" means a written agreement providing an
2 effective process for the transfer of a patient requiring emergency
3 services to a general hospital providing emergency services and for
4 continuity of care for that patient.

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