

HOUSE BILL REPORT

SHB 1569

As Passed Legislature

Title: An act relating to quality assurance in boarding homes, nursing homes, hospitals, peer review organizations, and coordinated quality improvement plans.

Brief Description: Regarding quality assurance in boarding homes, nursing homes, hospitals, peer review organizations, and coordinated quality improvement plans.

Sponsors: By House Committee on Health Care (originally sponsored by Representatives Morrell, Clibborn, Skinner, Schual-Berke, Green, Moeller, Cody, Curtis, Condotta, Chase, O'Brien and Kenney).

Brief History:

Committee Activity:

Health Care: 2/22/05, 2/28/05 [DPS].

Floor Activity:

Passed House: 3/9/05, 96-0.

Passed Senate: 4/4/05, 41-0.

Passed Legislature.

Brief Summary of Substitute Bill

- Authorizes nursing homes to maintain a quality assurance committee.
- Information and documents developed for a quality assurance committee are not subject to discovery in legal proceedings.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Cody, Chair; Campbell, Vice Chair; Morrell, Vice Chair; Bailey, Ranking Minority Member; Curtis, Assistant Ranking Minority Member; Alexander, Appleton, Clibborn, Condotta, Green, Hinkle, Lantz, Moeller, Schual-Berke and Skinner.

Staff: Dave Knutson (786-7146).

Background:

Many believe that facilitation of the quality assurance process in licensed boarding homes and nursing homes will promote safe patient care and may reduce property and liability insurance premium costs for such facilities.

It is the opinion of many that heightening the protection of quality assurance committee records will promote self-monitoring of patient care outcomes and allow facilities to correct identified problems at the earliest point in time.

Summary of Substitute Bill:

Nursing homes may maintain a quality assurance committee. The committee must, at a minimum include a director of nursing services, a physician and three other members from the staff of the facility. The committee must meet quarterly with the purpose of identifying issues that may adversely affect quality of care and services.

The Department of Social and Health Services (DSHS) may not require, and the long-term care ombudsman cannot request, disclosure of any quality assurance committee records or reports unless otherwise statutorily required.

The information and documents, including complaints and incident reports, created specifically for, and collected and maintained by a quality improvement committees for boarding homes and nursing homes, are not subject to discovery or introduction into evidence in any civil action.

Participants in the processes of the quality assurance committees for boarding homes and nursing homes, are not permitted or required to testify in any civil action as to the content of proceedings or the documents and information prepared specifically for the committee.

Information and documents disclosed by one quality assurance committee to another quality assurance committee and any information and documents created or maintained as a result of the sharing of information is not subject to the discovery process.

The DSHS is immune from liability for inadvertent disclosures, disclosures related to federal or state audits, or incorrectly labeled documents, used by quality assurance committees.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: Quality assurance committees will improve the services for clients living in boarding homes and nursing homes. The same protections that apply to hospital quality

assurance committees should also apply to boarding home and nursing home quality assurance committees.

Testimony Against: None.

Persons Testifying: (In support) Deb Murphy, Washington Association of Housing and Services for the Aging; and Jonathan Eames, Washington Health Care Association and Washington Center for Assisted Living.

(With concerns) Jeff Crollard, Long Term Care Ombudsman Program.

Persons Signed In To Testify But Not Testifying: None.