

# FINAL BILL REPORT

## EHB 2254

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Synopsis as Enacted

**Brief Description:** Clarifying protections provided to quality improvement activities.

**Sponsors:** By Representative Cody.

**House Committee on Health Care**

**Senate Committee on Health & Long-Term Care**

### **Background:**

Hospitals must maintain quality improvement committees to improve the quality of health care services and prevent medical malpractice. Quality improvement proceedings review medical staff privileges and employee competency, collect information related to negative health care outcomes, and conduct safety improvement activities. Provider groups and medical facilities other than hospitals are encouraged to conduct similar activities.

With some limited exceptions, information and documents created for or collected and maintained by a quality improvement committee are not subject to discovery, are not admissible into evidence in any civil action, and are confidential and not subject to public disclosure. A person participating in a meeting of the committee or in the creation or collection of information for the committee may not testify in any civil action regarding the content of the committee proceedings or information created or collected by the committee.

A health care provider who, in good faith, files charges or presents evidence against another provider before a regularly constituted peer review committee or board of a professional society or hospital on grounds of incompetency or misconduct is immune from liability for these activities. The proceedings and records of a review committee or board are not discoverable except in actions relating to the recommendation of the review committee or board involving restriction or revocation of the provider's privileges.

### **Summary:**

The review or disclosure of information and documents specifically created for, and collected and maintained by, quality improvement and peer review committees or boards is prohibited unless there is a specific exception.

### **Votes on Final Passage:**

House	96	0
Senate	44	0

**Effective:** July 24, 2005