

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5065**

Chapter 118, Laws of 2005

59th Legislature  
2005 Regular Session

HOSPITALS--STATEMENTS TO PATIENTS--LIABILITY

EFFECTIVE DATE: 7/24/05

Passed by the Senate March 10, 2005  
YEAS 46 NAYS 1

BRAD OWEN

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**President of the Senate**

Passed by the House April 6, 2005  
YEAS 98 NAYS 0

FRANK CHOPP

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**Speaker of the House of Representatives**

Approved April 21, 2005.

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5065** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

\_\_\_\_\_  
**Secretary**

FILED

April 21, 2005 - 3:37 p.m.

CHRISTINE GREGOIRE

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**Governor of the State of Washington**

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5065**

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Passed Legislature - 2005 Regular Session

**State of Washington                      59th Legislature                      2005 Regular Session**

**By** Senate Committee on Health & Long-Term Care (originally sponsored by Senators Thibaudeau, Deccio, Jacobsen, Parlette, Kohl-Welles and Keiser)

READ FIRST TIME 02/25/05.

1            AN ACT Relating to injuries resulting from health care; adding a  
2 new section to chapter 70.41 RCW; and creating a new section.

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            Hospitals shall have in place policies to assure that, when  
7 appropriate, information about unanticipated outcomes is provided to  
8 patients or their families or any surrogate decision makers identified  
9 pursuant to RCW 7.70.065. Notifications of unanticipated outcomes  
10 under this section do not constitute an acknowledgement or admission of  
11 liability, nor can the fact of notification, the content disclosed, or  
12 any and all statements, affirmations, gestures, or conduct expressing  
13 apology be introduced as evidence in a civil action.

14            NEW SECTION.    **Sec. 2.** Beginning January 1, 2006, the department  
15 shall, during the survey of a hospital, ensure that the policy required  
16 in section 1 of this act is in place.

          Passed by the Senate March 10, 2005.  
          Passed by the House April 6, 2005.  
          Approved by the Governor April 21, 2005.  
          Filed in Office of Secretary of State April 21, 2005.