

HB 2342-S - DIGEST

(SUBSTITUTED FOR - SEE 2ND SUB)

Declares an intent to establish an electronic registry to improve access to health care decision-making documents. The registry would support, not supplant, the current systems for advance directives and mental health advance directives by improving access to these documents.

Declares an intent that the registry would be consulted by health care providers in every instance where there may be a question about the patient's wishes for periods of incapacity and the existence of a document that may clarify a patient's intentions.

Directs the department of health to establish and maintain a statewide health care declarations registry containing the health care declarations identified in this act as submitted by residents of Washington. The department shall digitally reproduce and store health care declarations in the registry. The department may establish standards for individuals to submit digitally reproduced health care declarations directly to the registry, but is not required to review the health care declarations that it receives to ensure they comply with the particular statutory requirements applicable to the document.

Provides that any physician, advanced registered nurse practitioner, health care provider acting under the direction of a physician or an advanced registered nurse practitioner, or health care facility, as defined in chapter 70.122 RCW or in chapter 71.32 RCW, and its personnel who make a good faith health care decision in reliance on the provisions of an apparently genuine and valid health care declaration received from the registry shall be immune from legal liability, including civil, criminal, or professional conduct sanctions, unless the physician, health care provider, or health care facility and its personnel have actual knowledge that the declaration has been changed, revoked, or is legally invalid or is otherwise negligent.

Provides that, except for acts of gross negligence, willful misconduct, or intentional wrongdoing, the department of health is not subject to civil liability for any claims or demands arising out of the administration or operation of the health care declarations registry established in this act.