CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1575

62nd Legislature 2011 Regular Session

Passed by the House March 4, 2011 Yeas 97 Nays 0 Speaker of the House of Representatives Passed by the Senate April 1, 2011 Yeas 45 Nays 3	I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is SUBSTITUTE HOUSE BILL 1575 as passed by the House of Representatives and the Senate or the dates hereon set forth.		
			Chief Cler
		President of the Senate	
		Approved	FILED
Governor of the State of Washington	Secretary of State State of Washington		

SUBSTITUTE HOUSE BILL 1575

Passed Legislature - 2011 Regular Session

State of Washington 62nd Legislature 2011 Regular Session

By House Health Care & Wellness (originally sponsored by Representatives Cody, Green, Van De Wege, Moeller, and Jinkins)

READ FIRST TIME 02/17/11.

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- AN ACT Relating to clarifying which surgical facilities the Washington state department of health is mandated to license pursuant to chapter 70.230 RCW; amending RCW 70.230.010 and 70.230.040; adding
- 4 a new section to chapter 70.230 RCW; and providing an effective date.
- 5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:
- 6 **Sec. 1.** RCW 70.230.010 and 2007 c 273 s 1 are each amended to read 7 as follows:
 - The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.
- 10 (1) "Ambulatory surgical facility" means any distinct entity that 11 the primary purpose of providing specialty operates for multispecialty outpatient surgical services in which patients are 12 13 admitted to and discharged from the facility within twenty-four hours and do not require inpatient hospitalization, whether or not the 14 15 facility is certified under Title XVIII of the federal social security 16 An ambulatory surgical facility includes one or more surgical suites that are adjacent to and within the same building as, but not 17 18 in, the office of a practitioner in an individual or group practice, if 19 the primary purpose of the one or more surgical suites is to provide
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- 1 specialty or multispecialty outpatient surgical services, irrespective
- 2 of the type of anesthesia administered in the one or more surgical
- 3 suites. An ambulatory surgical facility that is adjacent to and within
- 4 the same building as the office of a practitioner in an individual or
- 5 group practice may include a surgical suite that shares a reception
- 6 area, restroom, waiting room, or wall with the office of the
- 7 practitioner in an individual or group practice.
- 8 (2) "Department" means the department of health.
- 9 (3) "General anesthesia" means a state of unconsciousness 10 intentionally produced by anesthetic agents, with absence of pain 11 sensation over the entire body, in which the patient is without 12 protective reflexes and is unable to maintain an airway.
- 13 (4) "Person" means an individual, firm, partnership, corporation, 14 company, association, joint stock association, and the legal successor 15 thereof.
- 16 (5) "Practitioner" means any physician or surgeon licensed under 17 chapter 18.71 RCW, an osteopathic physician or surgeon licensed under 18 chapter 18.57 RCW, or a podiatric physician or surgeon licensed under 19 chapter 18.22 RCW.
 - (6) "Secretary" means the secretary of health.
 - (7) "Surgical services" means invasive medical procedures that:
- 22 (a) Utilize a knife, laser, cautery, cryogenics, or chemicals; and
- 23 (b) Remove, correct, or facilitate the diagnosis or cure of a 24 disease, process, or injury through that branch of medicine that treats 25 diseases, injuries, and deformities by manual or operative methods by 26 a practitioner.
- 27 **Sec. 2.** RCW 70.230.040 and 2007 c 273 s 4 are each amended to read 28 as follows:
- 29 Nothing in this chapter:
- 30 (1) Applies to an ambulatory surgical facility that is maintained 31 and operated by a hospital licensed under chapter 70.41 RCW;
 - (2) Applies to an office maintained for the practice of dentistry;
- 33 (3) Applies to outpatient specialty or multispecialty surgical
 34 services routinely and customarily performed in the office of a
 35 practitioner in an individual or group practice ((that do not require
 36 general anesthesia)), where the primary purpose of the office is not as
 37 set forth in RCW 70.230.010(1), provided that any surgical services in

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- 1 which general anesthesia is a planned event must be performed only in
- 2 an ambulatory surgical facility as defined in this chapter or in a
- 3 <u>hospital or hospital-associated surgical center licensed under chapter</u>
- 4 70.41 RCW; or
- 5 (4) Limits an ambulatory surgical facility to performing only
- 6 surgical services.
- 7 <u>NEW SECTION.</u> **Sec. 3.** A new section is added to chapter 70.230 RCW
- 8 to read as follows:
- 9 Any entity that meets the definition of an ambulatory surgical
- 10 facility in RCW 70.230.010 that had been issued a license on or after
- 11 July 1, 2009, that was later declared void by a department
- 12 determination that the entity did not meet the definition of an
- 13 ambulatory surgical facility shall be deemed to have complied with the
- 14 survey requirements of RCW 70.230.100 for its initial license
- 15 application.
- 16 <u>NEW SECTION.</u> **Sec. 4.** This act takes effect January 1, 2012.

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