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SENATE BILL 5818

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State of Washington

62nd Legislature

2011 Regular Session

By Senator Litzow

Read first time 02/16/11. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to mandating certain long-term care facilities to  
2 report incidents of death caused by health care-associated infections;  
3 adding a new section to chapter 18.20 RCW; adding a new section to  
4 chapter 18.51 RCW; and adding a new section to chapter 70.128 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.20 RCW  
7 to read as follows:

8 (1)(a) Within fifteen days of a certificate of death being filed  
9 under RCW 70.58.160, a boarding home must file a notification with the  
10 department when that death is partially or fully caused by a health  
11 care-associated infection acquired by the resident during his or her  
12 stay at the boarding home.

13 (b) For the purposes of this subsection, "health care-associated  
14 infection" means a localized or systemic condition that results from  
15 adverse reaction to the presence of an infectious agent or its toxins  
16 and that was not present or incubating at the time of admission to the  
17 boarding home.

18 (2) If the certificate of death notes the presence of

1 methicillin-resistant staphylococcus aureus, as provided in RCW  
2 70.58.400, the criteria of subsection (1) of this section is presumed  
3 met and the notification must be filed.

4 (3) All notifications filed with the department must be in a format  
5 defined by the department, readily available to the public for  
6 inspection, and posted to a public web site maintained by the  
7 department with patient identifiable information redacted.

8 (4) The protections of RCW 74.34.180 apply to notifications and  
9 reports under this section that are submitted in good faith by  
10 employees or residents of a boarding home.

11 (5) The department may adopt rules necessary to implement this  
12 section.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 18.51 RCW  
14 to read as follows:

15 (1)(a) Within fifteen days of a certificate of death being filed  
16 under RCW 70.58.160, a nursing home must file a notification with the  
17 department when that death is partially or fully caused by a health  
18 care-associated infection acquired by the resident during his or her  
19 stay at the nursing home.

20 (b) For the purposes of this subsection, "health care-associated  
21 infection" means a localized or systemic condition that results from  
22 adverse reaction to the presence of an infectious agent or its toxins  
23 and that was not present or incubating at the time of admission to the  
24 nursing home.

25 (2) If the certificate of death notes the presence of  
26 methicillin-resistant staphylococcus aureus, as provided in RCW  
27 70.58.400, the criteria of subsection (1) of this section is presumed  
28 met and the notification must be filed.

29 (3) All notifications filed with the department must be in a format  
30 defined by the department, readily available to the public for  
31 inspection, and posted to a public web site maintained by the  
32 department with patient identifiable information redacted.

33 (4) The protections of RCW 74.34.180 apply to notifications and  
34 reports under this section that are submitted in good faith by  
35 employees or residents of a nursing home.

36 (5) The department may adopt rules necessary to implement this  
37 section.

1        NEW SECTION.   **Sec. 3.**   A new section is added to chapter 70.128 RCW  
2 to read as follows:

3        (1)(a) Within fifteen days of a certificate of death being filed  
4 under RCW 70.58.160, an adult family home must file a notification with  
5 the department when that death is partially or fully caused by a health  
6 care-associated infection acquired by the resident during his or her  
7 stay at the adult family home.

8        (b) For the purposes of this subsection, "health care-associated  
9 infection" means a localized or systemic condition that results from  
10 adverse reaction to the presence of an infectious agent or its toxins  
11 and that was not present or incubating at the time of admission to the  
12 adult family home.

13        (2) If the certificate of death notes the presence of  
14 methicillin-resistant staphylococcus aureus, as provided in RCW  
15 70.58.400, the criteria of subsection (1) of this section is presumed  
16 met and the notification must be filed.

17        (3) All notifications filed with the department must be in a format  
18 defined by the department, readily available to the public for  
19 inspection, and posted to a public web site maintained by the  
20 department with patient identifiable information redacted.

21        (4) The protections of RCW 74.34.180 apply to notifications and  
22 reports under this section that are submitted in good faith by  
23 employees or residents of an adult family home.

24        (5) The department may adopt rules necessary to implement this  
25 section.

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