
ENGROSSED HOUSE BILL 2212

State of Washington 64th Legislature 2015 Regular Session

By Representatives Cody, Schmick, and Fagan

Read first time 03/26/15. Referred to Committee on Capital Budget.

1 AN ACT Relating to exempting hospitals licensed under chapter
2 70.41 RCW that receive capital funds to operate new psychiatric
3 services from certain certificate of need requirements; adding new
4 sections to chapter 70.38 RCW; creating a new section; providing an
5 expiration date; and declaring an emergency.

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

7 NEW SECTION. **Sec. 1.** To accommodate the urgent need for
8 inpatient psychiatric services and to facilitate state compliance
9 with the Washington state supreme court decision, *In re the Detention*
10 *of D.W.*, No. 90110-4, August 7, 2014, which prohibits the practice of
11 psychiatric boarding, the legislature intends to exempt certain
12 hospital mental health projects provided grant funding by the
13 department of commerce from certificate of need requirements.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.38
15 RCW to read as follows:

16 (1) For a grant awarded during fiscal years 2016 and 2017 by the
17 department of commerce under this section, hospitals licensed under
18 chapter 70.41 RCW and psychiatric hospitals licensed under chapter
19 71.12 RCW are not subject to certificate of need requirements for the
20 addition of the number of new psychiatric beds indicated in the

1 grant. The department of commerce may not make a prior approval of a
2 certificate of need application a condition for a grant application
3 under this section. The period during which an approved hospital
4 project qualifies for a certificate of need exemption under this
5 section is two years from the date of the grant award.

6 (2) This section expires June 30, 2019.

7 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.38
8 RCW to read as follows:

9 New psychiatric beds added under section 2 of this act must
10 remain psychiatric beds unless a certificate of need is granted to
11 change their use or the hospital or psychiatric hospital voluntarily
12 reduces its licensed capacity.

13 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
14 preservation of the public peace, health, or safety, or support of
15 the state government and its existing public institutions, and takes
16 effect immediately.

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