AN ACT Relating to protecting pregnancy and miscarriage-related patient care; adding a new section to chapter 43.70 RCW; adding a new chapter to Title 70 RCW; and creating a new section.

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

NEW SECTION. Sec. 1. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of health.

(2) "Health care entity" means an entity that supervises, controls, grants privileges to, directs the practice of, or directly or indirectly restricts the practice of, a health care provider.

(3) "Health care provider" has the same meaning as in RCW 70.02.010.

NEW SECTION. Sec. 2. (1) Except as provided in subsection (2) of this section, if a health care provider is acting in good faith, within the provider's scope of practice, education, training, and experience and within the accepted standard of care, a health care entity may not prohibit the health care provider from providing health care services related to miscarriage management and treatment for ectopic pregnancies, in cases in which failure to provide the
service would violate the accepted standard of care or when the
patient presents a medical condition manifesting itself by acute
symptoms of sufficient severity such that the absence of immediate
medical attention could reasonably be expected to pose a risk:
   (a) To the patient's life; or
   (b) Of irreversible complications or impairment to the patient's
       bodily functions or any bodily organ or part.
(2) Nothing in this section prohibits a health care entity from
limiting a health care provider's practice for purposes of:
   (a) Complying with the network or utilization review requirements
       of any program or entity authorized by state or federal law to
       provide insurance coverage for health care services to enrollees; or
   (b) Peer review, credentialing, privileging, quality control, or
       patient safety.
(3) A health care entity may not discharge, demote, suspend,
discipline, or otherwise discriminate against a health care provider
for providing services in compliance with this section.

NEW SECTION.  Sec. 3.  A patient, a health care provider, or an
individual, who is aggrieved by a violation of section 2 of this act,
may bring a civil action against a health care entity to enjoin
further violations, to recover damages, or both, and may recover
costs and reasonable attorneys' fees.

NEW SECTION.  Sec. 4.  Beginning March 1, 2022, a health care
entity shall provide the information prepared by the department under
section 5 of this act at the time of hiring, contracting with, or
privileging health care providers and staff, and on a yearly basis
thereafter.

NEW SECTION.  Sec. 5.  A new section is added to chapter 43.70
RCW to read as follows:
   By December 31, 2021, the department shall design, prepare, and
make available online, written materials to clearly inform health
care providers and staff of the provisions of, and authority to act
under, chapter 70.--- RCW (the new chapter created in section 7 of
this act).

NEW SECTION.  Sec. 6.  If any part of this act is found to be in
conflict with federal requirements that are a prescribed condition to
the allocation of federal funds to the state, the conflicting part of
this act is inoperative solely to the extent of the conflict and with
respect to the agencies directly affected, and this finding does not
affect the operation of the remainder of this act in its application
to the agencies concerned. Rules adopted under this act must meet
federal requirements that are a necessary condition to the receipt of
federal funds by the state.

NEW SECTION. Sec. 7. Sections 1 through 4 of this act
constitute a new chapter in Title 70 RCW.

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