

WAC 388-875-0070 Transfer of a patient between treatment facilities. In some instances, it is appropriate for the department to transfer a patient currently residing in a state facility to another state facility for ongoing treatment. The department accomplishes the transfer with the utmost care given to the therapeutic needs and legal status of the patient. This section describes the procedures for handling a patient transfer between state facilities in a manner consistent with the best interest of the patient.

(1) The department uses the following criteria when determining the appropriateness of a patient transfer:

(a) The patient's family resides within the receiving facility's service area;

(b) The patient's primary home of residence is in the receiving facility's service area;

(c) A particular service or need of the patient is better met at the receiving facility;

(d) Transfer to the receiving facility may facilitate continuity of care; or

(e) The prosecutor, defense counsel, or the court requests a transfer.

(2) Prior to any proposed transfer of a patient, the treatment facility must comply with the following:

(a) The sending facility, at the request of the superintendent, must have forwarded in writing information necessary to make a decision on whether transfer is appropriate to the receiving facility's attending physician or the physician's designee, copying the prosecutor and defense counsel on that communication;

(b) The receiving facility's attending physician or the physician's designee must have recommended appropriate action to the superintendent of the sending facility in writing within five calendar days of receipt of the request, and where exigent circumstances exist, necessitating immediate transfer of a patient, these communications must be made immediately as well;

(c) If the receiving facility accepts the proposed patient transfer, the sending facility must notify the patient, guardian, prosecutor, and defense counsel, at least five days before the proposed patient transfer;

(d) The sending facility is responsible for all patient transfer arrangements, such as, transportation and staff escort, and coordinates the day and time of arrival with the receiving facility; and

(e) The sending facility arranges for the transfer of patient's medical record to the receiving facility.

(3) The sending facility must document the following in the patient's record:

(a) That the physician documented the medical suitability of the patient for transfer; and

(b) That the facility documented:

(i) Justification as to why the transfer is considered in the patient's best interests; and

(ii) The patient's wishes regarding transfer.

(4) The sending facility must contact the prosecuting attorney's office of the committing county, and defense counsel before the transfer. Where court orders need to be amended as a result of transfer of a patient, the relevant court must also be contacted in order to affect such amendments.

[Statutory Authority: Chapter 10.77 RCW, RCW 72.01.090, 70.02.290, 70.02.340, 71.05.560, 71.24.035 (5)(c), and 71.34.380. WSR 19-11-055, § 388-875-0070, filed 5/13/19, effective 6/13/19. Statutory Authority: RCW 70.02.290, 70.02.340, 70.96A.040(4), 71.05.560, 71.24.035 (5)(c), 71.34.380, and 2014 c 225. WSR 16-13-087, § 388-875-0070, filed 6/15/16, effective 7/16/16. Statutory Authority: Chapter 10.77 RCW. WSR 01-01-008, recodified as § 388-875-0070, filed 12/6/00, effective 1/6/01. Statutory Authority: RCW 74.05.560 [71.05.560]. WSR 91-22-044 (Order 3275), § 275-59-071, filed 10/31/91, effective 12/1/91. Statutory Authority: RCW 71.05.560. WSR 88-23-021 (Order 2724), § 275-59-071, filed 11/7/88.]