
SUBSTITUTE HOUSE BILL 1000

State of Washington

63rd Legislature

2013 Regular Session

By House Judiciary (originally sponsored by Representatives Moeller, Morrell, Wylie, McCoy, Ryu, Reykdal, Seaquist, Moscoso, Appleton, Green, Cody, Ormsby, and Jenkins)

READ FIRST TIME 01/31/13.

1 AN ACT Relating to immunity for health care providers following
2 directions contained in a form developed pursuant to RCW 43.70.480; and
3 amending RCW 43.70.480.

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

5 **Sec. 1.** RCW 43.70.480 and 2000 c 70 s 1 are each amended to read
6 as follows:

7 (1) The department of health shall adopt guidelines and protocols
8 for how emergency medical personnel shall respond when summoned to the
9 site of an injury or illness for the treatment of a person who has
10 signed a written directive or durable power of attorney requesting that
11 he or she not receive futile emergency medical treatment. The
12 guidelines shall include development of a ~~((simple))~~ medical order form
13 that shall be used statewide.

14 (2) Any provider acting within the scope of his or her license or
15 any facility who participates in good faith in the provision of medical
16 care or in the withholding or withdrawal of life-sustaining treatment
17 in accordance with the directions contained in the form developed under
18 subsection (1) of this section shall be immune from legal liability,
19 including civil, criminal, and professional conduct sanctions if:

1 (a) The form is signed by the patient;

2 (b) The standard of care required by RCW 7.70.040 is exercised when
3 providing, withholding, or withdrawing treatment; and

4 (c) Treatment is provided without negligence as described in
5 chapter 7.70 RCW.

6 (3) For purposes of this section, "provider" includes:

7 (a) A physician licensed under chapter 18.71 RCW, an osteopathic
8 physician licensed under chapter 18.57 RCW, a podiatric physician
9 licensed under chapter 18.22 RCW, an advanced registered nurse
10 practitioner licensed under chapter 18.79 RCW, a physician assistant
11 licensed under chapter 18.71A RCW, and an osteopathic physician's
12 assistant licensed under chapter 18.57A RCW;

13 (b) Any credentialed health care provider acting under the
14 direction of an individual identified in (a) of this subsection; and

15 (c) Any credentialed provider listed under RCW 18.71.210.

16 (4) For purposes of this section, "facility" includes a hospital
17 licensed under chapter 70.41 RCW, a nursing home licensed under chapter
18 18.51 RCW, a home health agency or hospice agency licensed under
19 chapter 70.126 RCW, an assisted living facility licensed under chapter
20 18.20 RCW, an adult family home licensed under chapter 70.128 RCW, an
21 institution licensed under chapter 71.12 RCW, a state hospital
22 designated under chapter 72.23 RCW, a clinic that is part of a
23 community mental health service delivery system established under
24 chapter 71.24 RCW, a long-term care facility as defined in RCW
25 43.190.020, any state veterans' home established under chapter 72.36
26 RCW, any entity identified in RCW 18.71.210, and any kidney disease
27 treatment center.

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