
SENATE BILL 5778

State of Washington

64th Legislature

2015 Regular Session

By Senators Becker, Frockt, Keiser, Bailey, Dammeier, Lias, Hatfield, Angel, Dandel, King, Baumgartner, Brown, Cleveland, Warnick, Honeyford, Parlette, Hill, Rivers, Fain, Braun, Litzow, Conway, Sheldon, Ericksen, and Hewitt

Read first time 02/02/15. Referred to Committee on Health Care.

1 AN ACT Relating to ambulatory surgical facilities; amending RCW
2 70.230.100; amending 2007 c 273 s 7 (uncodified); adding a new
3 section to chapter 70.230 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** (1) It is the intent of the legislature to
6 ease the regulatory cost and burden on ambulatory surgical facilities
7 by holding initial licensing fees and license renewal fees at their
8 current level through the enactment of an inspection fee for
9 ambulatory surgical facilities not certified as a medicare ambulatory
10 surgical facility or accredited by a national organization with
11 equivalent standards.

12 (2) On-site inspections drive department of health program
13 expenditures and are one of the reasons the department continues to
14 seek license and renewal fee increases. Preventing unnecessary and
15 duplicative inspections will reduce the regulatory burden on
16 ambulatory surgical facilities and the department of health, will
17 hold down license and renewal fees, and will reward those facilities
18 who seek out additional accreditations.

19 **Sec. 2.** RCW 70.230.100 and 2007 c 273 s 11 are each amended to
20 read as follows:

1 (1) The department shall make or cause to be made a survey of all
2 ambulatory surgical facilities every eighteen months. Every survey of
3 an ambulatory surgical facility may include an inspection of every
4 part of the surgical facility. The department may make an examination
5 of all phases of the ambulatory surgical facility operation necessary
6 to determine compliance with all applicable statutes, rules, and
7 regulations. In the event that the department is unable to make a
8 survey or cause a survey to be made during the three years of the
9 term of the license, the license of the ambulatory surgical facility
10 shall remain in effect until the state conducts a survey or a
11 substitute survey is performed if the ambulatory surgical facility is
12 in compliance with all other licensing requirements.

13 (2) An ambulatory surgical facility shall be deemed to have met
14 the survey standards of this section if it submits proof of
15 certification as a medicare ambulatory surgical facility or
16 accreditation by an organization that the secretary has determined to
17 have substantially equivalent survey standards to those of the
18 department. A survey performed pursuant to medicare certification or
19 by an approved accrediting organization may substitute for a survey
20 by the department if((+
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22 ~~(a) The ambulatory surgical facility has satisfactorily completed
23 a survey by the department in the previous eighteen months; and~~

24 ~~(b))~~ within thirty days of learning the result of a survey, the
25 ambulatory surgical facility provides the department with documentary
26 evidence that the ambulatory surgical facility has been certified or
27 accredited as a result of a survey and the date of the survey.

28 (3)(a) An ambulatory surgical facility not deemed to have met the
29 survey standards in the manner outlined in subsection (2) of this
30 section shall pay an inspection fee to the department of health
31 established in section 3 of this act.

32 (b) An ambulatory surgical facility that submits proof of
33 certification as a medicare ambulatory surgical facility or
34 accreditation by an organization that the secretary has determined to
35 have substantially equivalent survey standards to those of the
36 department shall not pay an inspection fee established in section 3
37 of this act.

38 (4) Ambulatory surgical facilities shall make the written reports
39 of surveys conducted pursuant to medicare certification procedures or
40 by an approved accrediting organization available to department
surveyors during any department surveys, upon request.

1 **Sec. 3.** 2007 c 273 s 7 (uncodified) is amended to read as
2 follows:

3 The department of health shall convene a group of interested
4 stakeholders to identify relevant regulatory issues related to the
5 implementation of (~~this act~~) chapter 273, Laws of 2007, including a
6 reasonable fee schedule for licenses and renewal licenses. The group
7 shall report to the department on their recommendations no later than
8 December 15, (~~2007~~) 2015. Until recommendations are reported to the
9 department, the department may not increase fees for licenses and
10 renewal licenses beyond what is implemented as of the effective date
11 of this section.

12 NEW SECTION. **Sec. 4.** Section 3 of this act is added to chapter
13 70.230 RCW.

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