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HOUSE BILL 2375

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State of Washington

61st Legislature

2009 Regular Session

By Representatives Campbell, Morrell, Hunter, Ormsby, Pedersen, Wood, Conway, Simpson, and Chase

1 AN ACT Relating to requiring surgical patients to be tested for  
2 multidrug resistant organisms prior to being admitted to the hospital;  
3 adding a new section to chapter 18.57 RCW; adding a new section to  
4 chapter 18.71 RCW; and adding a new section to chapter 70.41 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.57 RCW  
7 to read as follows:

8 (1) Except as provided in subsection (3) of this section, an  
9 osteopathic physician and surgeon licensed under this chapter may not  
10 perform a surgical procedure on a patient unless the patient has been  
11 tested for methicillin-resistant staphylococcus aureus at least two  
12 weeks, but no earlier than three weeks, prior to the surgery. The test  
13 must be performed by, or at the direction of, a physician licensed  
14 under chapter 18.71 RCW or an osteopathic physician and surgeon  
15 licensed under this chapter.

16 (2) The osteopathic physician and surgeon responsible for  
17 performing the surgery shall, prior to the surgery:

18 (a) Inform the patient of the results of the test required under  
19 subsection (1) of this section; and

1 (b) Require the patient to be decolonized of methicillin-resistant  
2 staphylococcus aureus, as appropriate.

3 (3) This section does not apply to a patient receiving emergency  
4 surgery or a patient in a hospital's intensive care unit.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 18.71 RCW  
6 to read as follows:

7 (1) Except as provided in subsection (3) of this section, a  
8 physician licensed under this chapter may not perform a surgical  
9 procedure on a patient unless the patient has been tested for  
10 methicillin-resistant staphylococcus aureus at least two weeks, but no  
11 earlier than three weeks, prior to the surgery. The test must be  
12 performed by, or at the direction of, an osteopathic physician and  
13 surgeon licensed under chapter 18.57 RCW or a physician licensed under  
14 this chapter.

15 (2) The physician responsible for performing the surgery shall,  
16 prior to the surgery:

17 (a) Inform the patient of the results of the test required under  
18 subsection (1) of this section; and

19 (b) Require the patient to be decolonized of methicillin-resistant  
20 staphylococcus aureus, as appropriate.

21 (3) This section does not apply to a patient receiving emergency  
22 surgery or a patient in a hospital's intensive care unit.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.41 RCW  
24 to read as follows:

25 (1) Except as provided in subsection (2) of this section, a  
26 hospital licensed under this chapter shall verify that any surgical  
27 patient in the hospital has been tested for methicillin-resistant  
28 staphylococcus aureus under section 1 or 2 of this act. The hospital  
29 may not allow a surgical patient to undergo surgery in the hospital  
30 unless the testing has occurred.

31 (2) This section does not apply to a patient receiving emergency  
32 surgery or a patient in the hospital's intensive care unit.

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