
SENATE BILL 5818

State of Washington

62nd Legislature

2011 Regular Session

By Senator Litzow

Read first time 02/16/11. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to mandating certain long-term care facilities to
2 report incidents of death caused by health care-associated infections;
3 adding a new section to chapter 18.20 RCW; adding a new section to
4 chapter 18.51 RCW; and adding a new section to chapter 70.128 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 18.20 RCW
7 to read as follows:

8 (1)(a) Within fifteen days of a certificate of death being filed
9 under RCW 70.58.160, a boarding home must file a notification with the
10 department when that death is partially or fully caused by a health
11 care-associated infection acquired by the resident during his or her
12 stay at the boarding home.

13 (b) For the purposes of this subsection, "health care-associated
14 infection" means a localized or systemic condition that results from
15 adverse reaction to the presence of an infectious agent or its toxins
16 and that was not present or incubating at the time of admission to the
17 boarding home.

18 (2) If the certificate of death notes the presence of

1 methicillin-resistant staphylococcus aureus, as provided in RCW
2 70.58.400, the criteria of subsection (1) of this section is presumed
3 met and the notification must be filed.

4 (3) All notifications filed with the department must be in a format
5 defined by the department, readily available to the public for
6 inspection, and posted to a public web site maintained by the
7 department with patient identifiable information redacted.

8 (4) The protections of RCW 74.34.180 apply to notifications and
9 reports under this section that are submitted in good faith by
10 employees or residents of a boarding home.

11 (5) The department may adopt rules necessary to implement this
12 section.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 18.51 RCW
14 to read as follows:

15 (1)(a) Within fifteen days of a certificate of death being filed
16 under RCW 70.58.160, a nursing home must file a notification with the
17 department when that death is partially or fully caused by a health
18 care-associated infection acquired by the resident during his or her
19 stay at the nursing home.

20 (b) For the purposes of this subsection, "health care-associated
21 infection" means a localized or systemic condition that results from
22 adverse reaction to the presence of an infectious agent or its toxins
23 and that was not present or incubating at the time of admission to the
24 nursing home.

25 (2) If the certificate of death notes the presence of
26 methicillin-resistant staphylococcus aureus, as provided in RCW
27 70.58.400, the criteria of subsection (1) of this section is presumed
28 met and the notification must be filed.

29 (3) All notifications filed with the department must be in a format
30 defined by the department, readily available to the public for
31 inspection, and posted to a public web site maintained by the
32 department with patient identifiable information redacted.

33 (4) The protections of RCW 74.34.180 apply to notifications and
34 reports under this section that are submitted in good faith by
35 employees or residents of a nursing home.

36 (5) The department may adopt rules necessary to implement this
37 section.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.128 RCW
2 to read as follows:

3 (1)(a) Within fifteen days of a certificate of death being filed
4 under RCW 70.58.160, an adult family home must file a notification with
5 the department when that death is partially or fully caused by a health
6 care-associated infection acquired by the resident during his or her
7 stay at the adult family home.

8 (b) For the purposes of this subsection, "health care-associated
9 infection" means a localized or systemic condition that results from
10 adverse reaction to the presence of an infectious agent or its toxins
11 and that was not present or incubating at the time of admission to the
12 adult family home.

13 (2) If the certificate of death notes the presence of
14 methicillin-resistant staphylococcus aureus, as provided in RCW
15 70.58.400, the criteria of subsection (1) of this section is presumed
16 met and the notification must be filed.

17 (3) All notifications filed with the department must be in a format
18 defined by the department, readily available to the public for
19 inspection, and posted to a public web site maintained by the
20 department with patient identifiable information redacted.

21 (4) The protections of RCW 74.34.180 apply to notifications and
22 reports under this section that are submitted in good faith by
23 employees or residents of an adult family home.

24 (5) The department may adopt rules necessary to implement this
25 section.

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