

HB 2295 -- Redline

Substitute to Bill -- Concerning hospital at-home services.

Deletions ~~struck~~ · Insertions underlined

~~H-2086,1~~H-2389.1 ~~SUBSTITUTE~~ HOUSE BILL 2295 State of Washington 68th Legislature 2024 Regular Session By ~~House Health Care & Wellness (originally sponsored by~~ Representatives Bateman, Hutchins, Riccelli, Bronoske, Reed, Orwall, Davis, Tharinger, Simmons, Callan, and ~~Macri)~~Macri ~~READ~~Read ~~FIRST~~first ~~TIME~~time ~~01/31/24.~~01/11/24.

Referred to Committee on Health Care & Wellness.

1 ~~SHB~~HB 2295 per patient population in the country and a track record of providing high quality inpatient care;

(1) Hospitals subject to this chapter may provide hospital at- home services if they have ~~an~~secured ~~active~~a federal program waiver prior to when the department adopts rules pursuant to this section.

Hospitals that have ~~an~~secured ~~active~~a federal program waiver and intend to operate hospital at-home services within Washington state shall notify the department within 30 days of the effective date of this section.

The standards must be ~~consistent~~substantially with~~similar to~~ the provisions of the federal ~~program~~program, ~~and including: may not include requirements that would make a hospital ineligible for or preclude a hospital from complying with the requirements of the federal program.~~

~~The~~Environment ~~department of~~ may~~care~~ adopt~~requirements;~~ additional standards to address program safety concerns.

~~(b) admission, Intransfer, the discharge, event that the federal program expires before the department establishes rules, hospitals shall continue to follow federal program requirements that were in effect as of the date of the federal program's expiration and the~~referral ~~department~~processes; ~~shall enforce such requirements until the department adopts rules.~~

~~(c) inclusion Once and rules exclusion are~~criteria; ~~established, hospitals that intend to offer or continue offering hospital at-home services shall apply to the department for approval to add hospital at-home services as a hospital service line.~~

geographic criteria;

and data reporting requirements.

The standards shall not include requirements that would preclude a hospital from complying with the requirements of the federal program.

(b) Once rules are established, hospitals may apply to the department for approval to add hospital at-home services as a hospital service line.

The department shall approve a hospital to provide hospital at-home services if the application is consistent ~~p.~~with the standards established in rule.

~~2 SHB 2295 with the standards established in rule.~~

The ~~application~~fees charged shall not exceed the actual ~~cost~~p. ~~of staff time to review.~~

~~The~~2 ~~administration~~HB ~~of~~2295 ~~the cost~~ program must be covered by licensing fees set by the department under the authority of RCW~~staff~~ 70.41.100~~time~~ and to 43.70.250. review.

The administration of the program must be covered by existing licensing fees.

~~p.~~(4) A person furnishing or delivering home medical supplies or equipment that does not involve the provision of services beyond those necessary to deliver, set up, and monitor the proper functioning of the equipment and educate the user on its proper use;

~~3 SHB 2295 (4) A person furnishing or delivering home medical supplies or equipment that does not involve the provision of services beyond those necessary to deliver, set up, and monitor the proper functioning of the equipment and educate the user on its proper use;~~

~~(6)p.~~ An employee or volunteer of a licensed agency who provides services only as an employee or volunteer;

3 HB 2295 (6) An employee or volunteer of a licensed agency who provides services only as an employee or volunteer;

(15) Pharmacies licensed under RCW 18.64.043 that deliver prescription drugs and durable medical equipment that does not involve the use of professional services beyond those authorized to be performed by licensed pharmacists pursuant to chapter 18.64 RCW and those necessary to set up and monitor the proper functioning of the equipment and educate the person on its proper use;

~~4 SHB~~HB 2295 ~~(15)~~(16) ~~Pharmacies~~A licensed ~~volunteer under hospice RCW~~complying 18.64.043~~with that deliver prescription drugs and durable medical equipment that does not involve the use~~requirements of professional services beyond those authorized to be performed by licensed pharmacists pursuant to chapter 18.64 RCW ~~and~~70.127.050; ~~those necessary to set up and monitor the proper functioning of the~~

~~equipment and educate the person on its proper use;~~

~~(16) A volunteer hospice complying with the requirements of RCW 70.127.050;~~

(b) A health care facility if (i) the facility primarily provides or will provide inpatient health services, (ii) the facility is or will be controlled, directly or indirectly, by a health maintenance organization or a combination of health maintenance organizations which has, in the service area of the organization or service areas of the organizations in the combination, an enrollment of at least fifty thousand individuals, (iii) the facility is or will be p-geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iv) at least seventy- five percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization or organizations in the combination;

~~5 SHB 2295 geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iv) at least seventy- five percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization or organizations p. in the combination;~~

~~or~~ 5 HB 2295 (c) A health care facility (or portion thereof) if (i) the facility is or will be leased by a health maintenance organization or combination of health maintenance organizations which has, in the service area of the organization or the service areas of the organizations in the combination, an enrollment of at least fifty thousand individuals and, on the date the application is submitted under subsection (2) of this section, at least fifteen years remain in the term of the lease, (ii) the facility is or will be geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iii) at least seventy- five percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization; In the case of a proposed health care facility (or portion thereof) which has not begun to provide tertiary health services on the date an application p-is submitted under this subsection with respect to such facility (or portion), the facility (or portion) shall meet the applicable requirements of subsection (1) of this section when the facility first provides such services.

~~6The SHB department 2295 is submitted under this subsection with respect to such facility (or portion), the facility (or portion) shall meet approve thean applicablep. requirements of subsection (1) of this section when the facility first provides such services.~~

~~The6 departmentHB shall2295-approve an~~ application submitted under this subsection if it determines that the applicable requirements of subsection (1) of this section are met.

~~p-(ii) Provides its members a contractually guaranteed range of services from independent living through skilled nursing, including some assistance with daily living activities;~~

~~7(iii) SHBContractually 2295assumes (ii)responsibility Providesfor itsmemberscost aof contractuallyservices guaranteedexceeding rangeof member's servicesfinancial fromresponsibility independentunder livingthe throughcontract, skilledso nursing,that includingno somethird assistanceparty, with dailythe livingexception activities,of insurance p.~~

~~(iii)7 ContractuallyHB assumes2295-responsibility for the cost of services exceeding the member's financial responsibility under the contract, so that no third party, with the exception of insurance purchased by the retirement community or its members, but including the medicaid program, is liable for costs of care even if the member depletes his or her personal resources;~~

(6) A rural hospital, as defined by the department, reducing the number of licensed beds to become a rural primary care hospital under the provisions of Part A Title XVIII of the Social Security Act p-Section 1820, 42 U.S.C., 1395c et seq.

~~8 SHB 2295 Section 1820, 42 U.S.C., 1395c et seq.~~

(7) A rural health care facility licensed under RCW 70.175.100 formerly licensed as a hospital under chapter 70.41 RCW may, within ~~threep.-years of the effective date of the rural health care facility license, apply to the department for a hospital license and not be subject to the requirements of RCW 70.38.105(4)(a) as the construction, development, or other establishment of a new hospital, provided there is no increase in the number of beds previously licensed under chapter 70.41 RCW and there is no redistribution in the number of beds used for acute care or long-term care, the rural health care facility has been in continuous operation, and the rural health care facility has not been purchased or leased.~~

8 HB 2295 three years of the effective date of the rural health care facility license, apply to the department for a hospital license and not be subject to the requirements of RCW 70.38.105(4)(a) as the construction, development, or other establishment of a new hospital, provided there is no increase in the number of beds previously licensed under chapter 70.41 RCW and there is no redistribution in the number of beds used for acute care or long-term care, the rural health care facility has been in continuous operation, and the rural health care facility has not been purchased or leased.

(9)(a) A nursing home that voluntarily reduces the number of its licensed beds to provide assisted living, licensed assisted living facility care, adult day care, adult day health, respite care, hospice, outpatient therapy services, congregate meals, home health, or senior wellness clinic, or to reduce to one or two the number of beds per room or to otherwise enhance the quality of life for residents in the

nursing home, may convert the original facility or portion of the facility back, and thereby increase the number of nursing home beds to no more than the previously licensed number of ~~p-nursing home beds~~ nursing home beds without obtaining a certificate of need under this chapter, provided the facility has been in continuous operation and has not been purchased or leased.

~~9 SHB 2295 nursing home beds without obtaining a certificate of need under this chapter, provided the facility has been in continuous operation and has not been purchased or leased.~~

~~unless waivers from p. such requirements were issued, in which case the converted beds shall reflect the conditions or standards that then existed pursuant to the approved waivers.~~

9 HB 2295 from such requirements were issued, in which case the converted beds shall reflect the conditions or standards that then existed pursuant to the approved waivers.

(e) When a building owner has secured an interest in the nursing home beds, which are intended to be voluntarily reduced by the ~~p-licensee~~ licensee under (a) of this subsection, the applicant shall provide the department with a written statement indicating the building owner's approval of the bed reduction.

~~10 SHB 2295 licensee under (a) of this subsection, the applicant shall provide the department with a written statement indicating the building owner's approval of the bed reduction.~~

~~(i) p. The hospice agency is designed to serve the unique religious or cultural needs of a religious group or an ethnic minority and commits to furnishing hospice services in a manner specifically aimed at meeting the unique religious or cultural needs of the religious group or ethnic minority;~~

10 HB 2295 (i) The hospice agency is designed to serve the unique religious or cultural needs of a religious group or an ethnic minority and commits to furnishing hospice services in a manner specifically aimed at meeting the unique religious or cultural needs of the religious group or ethnic minority;

~~p-(a) The department shall suspend the certificate of need requirement for a hospital licensed under chapter 70.41 RCW that changes the use of licensed beds to increase the number of beds to provide psychiatric services, including involuntary treatment services.~~

~~11 SHB 2295 (a) The department shall suspend the certificate of need requirement for a hospital licensed under chapter 70.41 RCW that changes the use of licensed beds to increase the number of beds to provide psychiatric services, including involuntary treatment services.~~

~~(b) p. The department may not require a certificate of need for:~~

11 HB 2295 (b) The department may not require a certificate of need for:

~~p-(14) Hospital at-home services, as defined in section 2 of this act, are not subject to certificate of need review under this chapter.~~

~~12 SHB 2295 (14) Hospital at-home services, as defined in section 2 of this act, are not subject to certificate of need review under this chapter.~~

This act is necessary for the immediate preservation of the public peace, health, or safety, or support of ~~the p. state government and its existing public institutions, and takes effect immediately.~~

12 HB 2295 the state government and its existing public institutions, and takes effect immediately.

13 ~~SHB~~HB 2295