

TITLE: Hospital Practitioner Reporting Requirements

New Policy
Effective Date: May 2008
Revised: 11/2012

Purpose:

This policy conforms to SSB 5492 pertaining to the reporting of restrictions on health care practitioners within hospitals. The law establishes unprofessional conduct as the standard for making a report and states the time frame (15 days) for making a report to the Department of Health.

Implementation:

It is the responsibility of the hospital to report to the Department of Health within 15 days of an action against a practitioner. Such reports are to be made to the following phone #: (360) 236-4700.

The law reads as follows:

1. The chief administrator or executive officer of a hospital shall report to the department when the practice of a health care practitioner as defined in subsection (2) of this section is restricted, suspended, limited or terminated based upon a conviction, determination or finding by the hospital that the health care practitioner has committed an action defined as unprofessional conduct under RCW 18.130.180. The chief administrator or executive officer shall also report any voluntary restriction or termination of the practice of a health care practitioner as defined in subsection (2) of this section while the practitioner is under investigation or the subject of a proceeding by the hospital regarding unprofessional conduct, or in return for the hospital not conducting such an investigation or proceeding or not taking action. The department will forward the report to the appropriate disciplining authority.
2. The reporting requirements apply to the following health care practitioners:
 - Pharmacists as defined in chapter 18.64 RCW
 - Advanced registered nurse practitioners as defined in chapter 18.79 RCW
 - Dentists as defined in chapter 18.32 RCW
 - Naturopaths as defined in chapter 18.36A RCW
 - Optometrists as defined in chapter 18.53 RCW
 - Osteopathic physicians and surgeons as defined in chapter 18.57 RCW
 - Osteopathic physician assistants as defined in chapter 18.57A RCW
 - Physicians as defined in chapter 18.71 RCW
 - Physician assistants as defined in chapter 18.71a RCW
 - Podiatric physicians and surgeons as defined in chapter 18.22 RCW
 - Psychologists as defined in chapter 18.83 RCW.

3. Reports made under subsection (1) of this section shall be made within fifteen (15) days of the date: (a) A conviction, determination or finding is made by the hospital that the health care practitioner has committed an action defined as unprofessional conduct under RCW 18.130.180; or (b) the voluntary restriction or termination of the practice of a health care practitioner, including his or her voluntary resignation while under investigation or the subject of proceedings regarding unprofessional conduct under RCW 18.130.180 is accepted by the hospital.
4. Failure of a hospital to comply with this section is punishable by a civil penalty not to exceed two hundred and fifty dollars.
5. A hospital, its chief administrator or its executive officer who files a report under this section is immune from suit, whether direct or derivative, in any civil action related to the filing or contents of the report, unless the conviction, determination or finding on which the report and its content are based is proven to not have been made in good faith. The prevailing party in any action brought alleging the conviction, determination, finding or report was not made in good faith shall be entitled to recover the costs of litigation, including reasonable attorneys' fees.
6. The department shall forward reports made under subsection (1) of this section to the appropriate disciplining authority designated under Title 18 RCW within fifteen days of the date the report is received by the department. The department shall notify a hospital that has made a report under subsection (1) of this section of the results of the disciplining authority's case disposition decision within fifteen (15) days after the case disposition. Case disposition is the decision whether to issue a statement of charges, take informal action or close the complaint without action against a practitioner. In its biennial report to the legislature under RCW 18.130.310, the department shall specifically identify the case dispositions of reports made by hospitals under subsection (1) of this section.

Sacred Heart Medical Center will also follow the current reporting requirements of the National Practitioner Data Bank (NPDB). Hospitals must report "Professional review actions, based on reasons related to professional competence or conduct, adversely affecting clinical privileges for a period longer than 30 days; or voluntary surrender or restriction of clinical privileges while under, or to avoid, investigation. Report must be submitted to the NPDB and appropriate state licensing board within fifteen (15) days of the action".

Sources:

Letter from State re: Hospital Practitioner Reporting Requirements – September 15, 2005
National Practitioner Data Bank Guidebook

Rationale:

The State of Washington Department of Health recommends that RCW 18.130.180 be summarized in hospital policy to assure prompt and appropriate reporting of unprofessional conduct of pharmacists and licensed independent providers.