March 25, 2019

Dear Washington State Senators and Representatives:

We are writing as a representative group of mid-size rural and community hospitals that perform surgery for our residents. We want to share our serious concerns about how 2SHB 1155 will affect surgical availability in our communities. While the bill has been amended in the Senate Labor and Commerce Committee, it remains very problematic.

**Many Necessary Surgeries are Not “Emergencies”**

2SHB 1155 will unequivocally create a patient care delivery system that is not responsive to patients’ needs. There are many surgeries that are not scheduled, and likely would not qualify, as “**immediate and unanticipated patient care emergencies**,” but for which delaying care will have significant consequences for patients. Patient care emergencies typically means the patient will die or be significantly disabled without immediate treatment. Much of patient care falls outside that line, but it makes a big difference if patients get the right treatment at the right time.

Some of the surgeries we most often perform are gallbladder removal, colon surgery, hernia repair and repairing fractures. Does a patient with intense gallbladder pain on a Saturday who needs their gallbladder removed qualify as an emergency? The surgery could probably wait, but the patient will be in terrible pain and we will be using a great deal of opioids to tide them over until Monday. We do bone fracture repair surgery to fix a broken bone using metal screws, pins, rods, and/or plates to hold the bone in place. Is that an emergency? Probably not, but without surgery it’s misery, there is more risk of infection, significant painkillers and slower healing. What about a patient with a possible bowel obstruction? Can that wait? We often need diagnostic imaging to help us determine if something is an emergency. Can we bring in the needed team members to help image the patient if it is unclear that what we are dealing with is an emergency?

**2SHB 1155 Will Delay Necessary Care**

The limits the legislature is proposing in 2SHB 1155 create arbitrary distinctions between foreseeable and unforeseeable and emergency and non-emergency care. Putting these into operation is simply impractical in a clinical setting and patients will suffer as we struggle to follow the law. In these grey areas, hospitals will be forced to balance risk to the patient versus the threat of being found in violation of the law.

**Rural Surgery on Nights and Weekends is On-Demand**

Because we are not large, multi-specialty centers, we schedule surgery only during weekdays. We do, however, perform necessary surgeries during nights and weekends when patient need demands it. We do not have a surgical team at the ready on nights and weekends; we use on-call staff. The on-call provisions of 2SHB 1155 exempt “immediate and unanticipated patient care emergencies,” but how that will be defined is uncertain. Will our night and weekend surgeries qualify? The on-call provisions of 2SHB 1155 could prohibit us from providing necessary surgery in the off-hours, and our patients will suffer or would need to seek care outside of their community.
Our Quality is High, and We Keep Care Local

The goal of the rural and community surgeon is to provide the best care nearest to home. Well-done rural and community surgery is safe and cost effective. Our hospitals do not do complex cases but can address many of the needs of our community members. Quality studies have repeatedly found that our outcomes are comparable to larger hospitals, and patients do not have to endure the costs and challenges of being transferred outside their home communities.

We Speak for All Rural and Community Hospitals

There are numerous other hospitals that would be similarly affected, and all Washington State hospitals are opposed to these provisions. In the interest of time, a smaller group of us are sending this letter, but we speak for all the rural and community hospitals of Washington. Please let us or your local hospital leader know how we can be of any assistance as you continue to deliberate on this issue.

We urge you to not pass the bill, or to remove or significantly modify these provisions of the bill.

Sincerely,

David Schultz, Market President
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St. Anthony, Gig Harbor

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