

**RCW 70.41.550 Hospital at-home services.** (1) Hospitals subject to this chapter may provide hospital at-home services if they have an active federal program waiver prior to when the department adopts rules pursuant to this section. Hospitals that have an active federal program waiver and intend to operate hospital at-home services within Washington state shall notify the department within 30 days of receiving the waiver.

(2) (a) The department shall adopt rules by December 31, 2025, to implement chapter 259, Laws of 2024 and add hospital at-home services to those services that may be provided by an acute care hospital licensed under this chapter. The rules shall establish standards for the operation of a hospital at-home program. In establishing the initial standards, the department shall consider the provisions of the federal program and endeavor to make the standards substantially similar. The standards 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 department may adopt additional standards to promote safe care and treatment of patients as needed.

(b) In the 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 department shall enforce such requirements until the department adopts rules.

(c) Once rules are 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. Hospitals that have secured a federal program waiver prior to rule adoption may provide hospital at-home services while applying for approval. The department shall approve a hospital to provide hospital at-home services if the application is consistent with the standards established in rule. RCW 43.70.115 and chapter 34.05 RCW govern notice and adjudicative proceedings related to denial of an application. The department may set a one-time application fee in rule. The application fees charged shall not exceed the actual cost of staff time to review. The administration of the program must be covered by licensing fees set by the department under the authority of RCW 70.41.100 and 43.70.250.

(3) Hospital at-home services are not subject to chapter 70.126 or 70.127 RCW.

(4) Hospital at-home services do not count as an increase in the number of the hospital's licensed beds and are not subject to chapter 70.38 RCW.

(5) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Hospital at-home services" means acute care services provided by a licensed acute care hospital to a patient outside of the hospital's licensed facility and within a home or any location determined by the patient receiving the service.

(b) "Federal program" means the acute hospital care at-home program established by the federal centers for medicare and medicaid services under 42 U.S.C. Sec. 1320b-5 and extended by 42 U.S.C. Sec. 1395cc-7, or any successor program. [2024 c 259 s 2.]

**Findings—Intent—2024 c 259:** "(1) The legislature finds that:

(a) "Hospital at home" is a service that provides safe and effective care, improves outcomes, and benefits patients. It was developed by Johns Hopkins healthcare solutions and has been used by the veteran's health administration and medical centers in the United States and around the world;

(b) Washington hospitals began offering this service following the launch of the centers for medicare and medicaid services acute hospital care at-home program in response to the COVID-19 pandemic. Since that time, participating Washington patients have experienced fewer readmissions and shorter treatment periods and report high rates of satisfaction;

(c) Authorizing the continuation of this service would benefit patients in Washington, a state with one of the lowest number of beds per patient population in the country and a track record of providing high quality inpatient care; and

(d) Immediate authorization of this service is necessary to preserve continuity of care and provision of services without disruption.

(2) It is the intent of the legislature to authorize acute care hospitals licensed under this chapter to continue providing hospital at-home services and direct the department to adopt rules including those services among those that may be offered by such hospitals."  
[2024 c 259 s 1.]