

In any investigation or proceeding authorized in this chapter, the director, the board, any committee of the board, and any hearing officer conducting a contested case, shall have authority to administer oaths and take testimony, issue subpoenas requiring attendance of witnesses, together with relevant books, memoranda, papers, and other documents, articles, or instruments, and to discover from such witnesses all relevant facts known to them. In a contested case subpoenas shall be issued at the request of a party.

If an individual fails to obey the subpoena or obeys the subpoena but refuses to testify concerning matters relevant to the investigation or proceedings, the issuer of the subpoena may petition the superior court of the county where the investigation or proceeding is being conducted for enforcement of the subpoena. The petition shall be accompanied by a copy of the subpoena and proof of service, and shall set forth in what specific manner the subpoena has not been complied with, and shall ask an order of the court to compel the witness to appear and testify before the agency. The court may enter an order directing the witness to appear before the court at a time and place fixed in such order to show cause why he has not responded to the subpoena or has refused to testify. A copy of such order shall be served upon the witness. If it then appears to the court that the subpoena was properly issued and that the particular questions which the witness refuses to answer are reasonable and relevant the court shall enter an order that the witness appear at the time and place fixed in the order and testify or produce the items required, and on failing to obey the order the witness shall be subject to being held in contempt of court.

Passed the House April 28, 1977.

Passed the Senate June 4, 1977.

Approved by the Governor June 15, 1977.

Filed in Office of Secretary of State June 15, 1977.

CHAPTER 244

[Substitute House Bill No. 348]

NURSING HOMES—PATIENT ASSESSMENT SYSTEM—LICENSING STANDARDS

AN ACT Relating to nursing homes; adding a new section to chapter 18.51 RCW; and prescribing penalties.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. There is added to chapter 18.51 RCW a new section to read as follows:

(1) No later than September 30, 1977, the secretary shall implement and operate a patient assessment system whereby the characteristics of patients supported by the department under RCW 74.09.120 shall be computerized for the purpose of setting appropriate levels of staffing and reimbursement for nursing homes in accordance with the documented needs of the client population in each home.

(2) No later than November 30, 1977, the board of health shall adopt revised licensing standards for nursing homes after the fiscal impact of each revised standard has been assessed by the department. The licensing standards shall be suitable for:

- (a) Implementing the civil penalty system authorized under this chapter;
 - (b) Identifying and measuring the outcomes of services delivered by the nursing home;
 - (c) Assessing the fiscal impact on health care delivered under the licensing standards; and
 - (d) Determining rates to meet client needs.
- (3) No later than January 1, 1978, all payments made to nursing homes by the department shall meet the reasonable cost of:
- (a) Complying with the revised licensing standards;
 - (b) Complying with federal standards; and
 - (c) Meeting client needs;
- as the reasonable costs are determined under federal regulations.
- (4) No later than July 1, 1978, the department shall adopt all those regulations which meet all conditions necessary to fully implement the civil penalty system authorized by this chapter.

Passed the House June 7, 1977.

Passed the Senate June 6, 1977.

Approved by the Governor June 15, 1977.

Filed in Office of Secretary of State June 15, 1977.

CHAPTER 245

[Substitute House Bill No. 384]

FINANCIAL INSTITUTIONS—SUPERVISOR'S EXAMINATION REPORTS AND INFORMATION—CONFIDENTIALITY

AN ACT Relating to financial institutions; adding a new section to Title 30 RCW; adding a new section to chapter 31.12 RCW; adding a new section to Title 32 RCW; adding a new section to Title 33 RCW; repealing section 43.19.060, chapter 8, Laws of 1965 and RCW 43.19.060; repealing section 43.19.070, chapter 8, Laws of 1965 and RCW 43.19.070; repealing section 43.19.120, chapter 8, Laws of 1965 and RCW 43.19.120; prescribing penalties; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. There is added to Title 30 RCW a new section to read as follows:

(1) All examination reports and all information obtained by the supervisor and the supervisor's staff in conducting examinations of banks, trust companies, or alien banks is confidential and privileged information and shall not be made public or otherwise disclosed to any person, firm, corporation, agency, association, governmental body, or other entity except as provided by RCW 39.58.105.

(2) Subsection (1) of this section notwithstanding, the supervisor may furnish examination reports prepared by the supervisor's office to federal agencies empowered to examine state banks, trust companies, or alien banks; to the examined bank, trust company, or alien bank as provided in subsection (4) of this section; and to officials empowered to investigate criminal charges subject to legal process, valid search warrant, or subpoena. If the supervisor furnishes any examination report to officials empowered to investigate criminal charges, the supervisor may only furnish that part of the report which is necessary and pertinent to the investigation, and the supervisor may do this only after notifying the affected bank, trust company, or