

(3) A health care facility (or any part thereof) or medical equipment with respect to which an exemption was granted under subsection (1) of this section may not be sold or leased and a controlling interest in such facility or equipment or in a lease of such facility or equipment may not be acquired and a health care facility described in (1)(c) which was granted an exemption under subsection (1) of this section may not be used by any person other than the lessee described in (1)(c) unless—

(a) the department issues a certificate of need approving the sale, lease, acquisition, or use, or

(b) the department determines, upon application, that (i) the entity to which the facility or equipment is proposed to be sold or leased, which intends to acquire the controlling interest, or which intends to use the facility is a health maintenance organization or a combination of health maintenance organizations which meets the requirements of (1) (a) (i), and (ii) with respect to such facility or equipment, meets the requirements of (1) (a) (ii) or (iii) or the requirements of (1) (b) (i) and (ii).

(4) In the case of a health maintenance organization, an ambulatory care facility, or a health care facility, which ambulatory or health care facility is controlled, directly or indirectly, by a health maintenance organization or a combination of health maintenance organizations, the department may under the program apply its certificate of need requirements only to the offering of inpatient institutional health services and the acquisition of major medical equipment and the obligation of capital expenditures for the offering of inpatient institutional health services, and then only to the extent that such offering, acquisition, or obligation is not exempt under the provisions of this section.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House January 22, 1982.

Passed the Senate March 8, 1982.

Approved by the Governor March 31, 1982.

Filed in Office of Secretary of State March 31, 1982.

CHAPTER 120

[Substitute House Bill No. 852]

NURSING HOMES—PATIENT RIGHTS, STANDARDS FOR PRIVATE FACILITIES—MEDICATION—INSPECTIONS

AN ACT Relating to nursing homes; amending section 2, chapter 211, Laws of 1979 ex. sess. as amended by section 6, chapter 184, Laws of 1980 and RCW 74.42.020; amending section 23, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.230; amending section 60, chapter 211, Laws of 1979 ex. sess. as amended by section 17, chapter 184, Laws of 1980

and RCW 74.42.600; and repealing section 59, chapter 211, Laws of 1979 ex. sess., section 16, chapter 184, Laws of 1980 and RCW 74.42.590.

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

Section 1. Section 2, chapter 211, Laws of 1979 ex. sess. as amended by section 6, chapter 184, Laws of 1980 and RCW 74.42.020 are each amended to read as follows:

The standards in RCW 74.42.030 through 74.42.570 are the minimum standards for facilities (~~(receiving reimbursement under chapter 177 (Senate Bill No. 3250), Laws of 1980, or if not enacted, facilities receiving reimbursement under chapter 74.09 RCW)~~ licensed under chapter 18.51 RCW; PROVIDED, HOWEVER, That RCW 74.42.040, 74.42.140 through 74.42.280, 74.42.300, 74.42.360, 74.42.370, 74.42.380, 74.42.420(2), (4), (5), (6) and (7), 74.42.430(3), 74.42.450(2) and (3), 74.42.520, 74.42.530, 74.42.540, 74.42.570, and 74.42.580 shall not apply to Christian Science sanatoria facilities operated and listed or certified by The First Church of Christ, Scientist, in Boston, Massachusetts.

Sec. 2. Section 23, chapter 211, Laws of 1979 ex. sess. and RCW 74.42.230 are each amended to read as follows:

(1) The resident's attending or staff physician or authorized practitioner approved by the attending physician shall order all medications for the resident. The order may be oral or written and shall be limited by time. An "authorized practitioner," as used in this section, is a registered nurse under chapter 18.88 RCW when authorized by the board of nursing, an osteopathic physician's assistant under chapter 18.57A RCW when authorized by the committee of osteopathic examiners, or a physician's assistant under chapter 18.71A RCW when authorized by the board of medical examiners.

(2) An oral order shall be given only to a licensed nurse, pharmacist, or another physician. The oral order shall be recorded and signed immediately by the person receiving the order. The attending physician shall sign the record of the oral order in a manner consistent with good medical practice (~~(within forty-eight hours)~~).

Sec. 3. Section 60, chapter 211, Laws of 1979 ex. sess. as amended by section 17, chapter 184, Laws of 1980 and RCW 74.42.600 are each amended to read as follows:

(1) In addition to the inspection required by chapter 18.51 RCW, the department shall inspect the facility for compliance with ~~((the standards in RCW 74.42.010 through 74.42.570))~~ resident rights and direct care standards of this chapter. The department may inspect any and all other provisions randomly, by exception profiles, or during complaint investigations.

(2) If the facility has not complied with any of the standards in RCW 74.42.010 through 74.42.570, the department shall notify the facility in writing that the facility is in noncompliance and describe the reasons for the facility's noncompliance. The notice shall inform the facility that, except for

life-threatening situations or situations which substantially limit the provider's capacity to render adequate care which may be for a shorter period of time, the facility shall comply within a specified time, not to exceed sixty days from the date the plan of correction is approved by the department. The penalties in RCW 74.42.580 may be imposed if, upon inspection after the specified period, the department determines that the facility has not complied.

NEW SECTION. Sec. 4. Section 59, chapter 211, Laws of 1979 ex. sess., section 16, chapter 184, Laws of 1980 and RCW 74.42.590 are each repealed.

Passed the House February 18, 1982.

Passed the Senate March 11, 1982.

Approved by the Governor March 31, 1982.

Filed in Office of Secretary of State March 31, 1982.

CHAPTER 121

[Substitute House Bill No. 888]

PAPER BALLOT FORMAT

AN ACT Relating to ballot format; amending section 60, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.081; amending section 61, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.091; amending section 49, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.480; repealing section 59, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.071; repealing section 29.30.080, chapter 9, Laws of 1965, section 2, chapter 52, Laws of 1965, section 1, chapter 18, Laws of 1971, section 14, chapter 329, Laws of 1977 ex. sess. and RCW 29.30.080; repealing section 29.30.100, chapter 9, Laws of 1965, section 15, chapter 329, Laws of 1977 ex. sess. and RCW 29.30.100; and repealing section 48, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.470.

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

Section 1. Section 60, chapter 361, Laws of 1977 ex. sess. and RCW 29.30.081 are each amended to read as follows:

(1) On the top of each general election paper ballot (~~and extending across the party groups;~~) there shall be printed instructions directing the voters how to mark the ballot, including write-in votes (~~before the same shall be deposited with the judges of election~~). Next after the instructions and before the offices shall be placed the questions of adopting constitutional amendments or any other state measure authorized by law to be submitted to the voters of such election.

(2) (~~All nominations of any party or group of petitioners shall be placed under the title of such party of petitioners as designated by them in their certificate of nomination or petition, and the name of each nominee shall be placed under the designation of the office for which he has been nominated.~~) The candidate or candidates of the major political party which received the highest number of votes from the electors of this state for the office of president of the United States at the last presidential election shall