

the preparation, institution and maintenance of antitrust actions under the state and federal antitrust acts.

Passed the Senate February 5, 1974.  
Passed the House April 23, 1974.  
Approved by the Governor April 29, 1974.  
Filed in Office of Secretary of State April 29, 1974.

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CHAPTER 163  
[Senate Bill No. 3380]  
HOSPITAL COMMISSION--  
COST CONTAINMENT CONTROL PROGRAM

AN ACT Relating to health care services; enabling the hospital commission to undertake a state cost containment control program in lieu of a federal control program as authorized under federal law and regulation; amending section 15, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.140; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 15, chapter 5, Laws of 1973 1st ex. sess. and RCW 70.39.140 are each amended to read as follows:

From and after a date not less than twelve months but not more than twenty-four months after the adoption of the uniform system of accounting and financial reporting required by RCW 70.39.100, as the commission may direct, the commission shall have the power to initiate such reviews or investigations as may be necessary to assure all purchasers of hospital health care services that the total costs of a hospital are reasonably related to the total services offered by that hospital, that the hospital's aggregate revenues as expressed by rates are reasonably related to the hospital's aggregate costs; and that rates are set equitably among all purchasers or classes of purchasers of services without undue discrimination or preference.

In order to properly discharge these obligations, the commission shall have full power to review projected annual revenues and approve the reasonableness of rates proposed to generate that revenue established or requested by any hospital subject to the provisions of this chapter. No hospital shall charge for services at rates other than those established in accordance with the procedures established hereunder.

In the interest of promoting the most efficient and effective use of hospital health care service, the commission may promote and approve alternative methods of rate determination and payment of an experimental nature that may be in the public interest and consistent with the purposes of this chapter.

((For the purposes of the Federal Economic Stabilization Act of 1970, as now or hereafter amended, the commission shall serve as the state agency responsible for recommending increases in rates for hospital and related health care institutions to the federal price commission or its successor)) The commission shall serve as the state agency responsible for coordinating state actions and otherwise responding and relating to the efforts of the cost of living council, or its successor, in planning and implementing federal cost containment programs with respect to hospitals and related health care institutions as authorized by the Federal Economic Stabilization Act of 1970, as now or hereafter amended, and any rules or regulations promulgated thereto. In carrying out this responsibility, the commission may serve as the state agency responsible for recommending increases in rates for hospitals and related health care institutions to the cost of living council, or its successor; may apply to the cost of living council for authorization to administer a control program in Washington state in lieu of the federal controls established and otherwise administered by the cost of living council; may assume another function or role authorized by appropriate federal regulations implementing the Federal Economic Stabilization Act of 1970; or assume any combination of such roles or functions as it may determine will most effectively contain the rising costs of the varying kinds of hospitals and related health care institutions in Washington state. In determining its functions or roles in relation to the efforts to the cost of living council, or its successor, the commission shall seek to ensure coordination, and the reduction of duplicatory cost containment efforts, by the state and federal governments, as well as the diligent fulfillment of the purposes of this chapter and declared public policy and legislative intent herein: PROVIDED, HOWEVER, That in cases where the rates of nursing homes or similar health institutions are subject to ((federal)) review pursuant to the provisions of the Federal Economic Stabilization Act of 1970 or any rules or regulations promulgated thereto, the members of the commission representing hospitals shall not sit in the proceedings nor vote, and the governor shall appoint an ad hoc member representing nursing homes or similar health institutions in lieu thereof, who shall have the same powers as the other members with respect to such ((federal)) review only.

NEW SECTION. Sec. 2. This 1974 amendatory 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 Senate April 18, 1974.  
Passed the House April 23, 1974.  
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CHAPTER 164  
[Substitute House Bill No. 869]  
OUTDOOR FIRES—  
INSTRUCTIONAL FIRE EXEMPTION

AN ACT Relating to instructional fire permits; and amending section 9, chapter 193, Laws of 1973 1st ex. sess. as amended by section 1, chapter 11, Laws of 1973 2nd ex. sess. and RCW 70.94.775.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 9, chapter 193, Laws of 1973 1st ex. sess. as amended by section 1, chapter 11, Laws of 1973 2nd ex. sess. and RCW 70.94.775 are each amended to read as follows:

No person shall cause or allow any outdoor fire:

(1) Containing garbage, dead animals, asphalt, petroleum products, paints, rubber products, plastics, or any substance other than natural vegetation which normally emits dense smoke or obnoxious odors except as provided in RCW 70.94.650: PROVIDED, That agricultural heating devices which otherwise meet the requirements of this chapter shall not be considered outdoor fires under this section;

(2) During a forecast, alert, warning or emergency condition as defined in RCW 70.94.715;

(3) In any area which has been designated by the department of ecology or board of an activated authority as an area exceeding or threatening to exceed state or federal ambient air quality standards, or after July 1, 1976, state ambient air quality goals for particulates ((: PROVIDED, That the provisions of this subsection shall not become effective in relation to instructional fires permitted by RCW 70.94.650 (2) until September 29, 1974)), except instructional fires permitted by RCW 70.94.650 (2).

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