



Legislation Details (With Text)

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File created: 10/17/2023 **In control:** Committee of the Whole

On agenda: **Final action:** 11/28/2023

Enactment date: 12/6/2023 **Enactment #:** 19706

Title: AN ORDINANCE relating to the management and operation of Harborview Medical Center; authorizing the executive to execute an amendment to the Hospital Services Agreement with the University of Washington; amending Ordinance 6818, Section 2, as amended, and K.C.C. 2.42.010, Ordinance 6818, Section 6, and K.C.C. 2.42.050, and Ordinance 6818, Section 10, as amended, and K.C.C. 2.42.090 and adding a new section to K.C.C. chapter 2.42.

Sponsors: Joe McDermott

Indexes: Agreement, Harborview

Code sections:

Attachments: 1. Ordinance 19706, 2. A. First Amendment to the Hospital Services Agreement, 3. 2023-0370_SR_HMC-HSAAmend

Date	Ver.	Action By	Action	Result
11/28/2023	1	Metropolitan King County Council	Passed	Pass
11/15/2023	1	Committee of the Whole	Recommended Do Pass Consent	Pass
10/17/2023	1	Metropolitan King County Council	Introduced and Referred	

AN ORDINANCE relating to the management and operation of Harborview Medical Center; authorizing the executive to execute an amendment to the Hospital Services Agreement with the University of Washington; amending Ordinance 6818, Section 2, as amended, and K.C.C. 2.42.010, Ordinance 6818, Section 6, and K.C.C. 2.42.050, and Ordinance 6818, Section 10, as amended, and K.C.C. 2.42.090 and adding a new section to K.C.C. chapter 2.42.

STATEMENT OF FACTS:

1. Harborview Medical Center ("Harborview") is a comprehensive regional health care facility owned by King County and, in accordance with the hospital services agreement between the Harborview Medical Center, the University of Washington and King County, is operated by UW Medicine and is overseen by a thirteen-member board of trustees.

2. Harborview is the only Level 1 Trauma Center for adults and children serving a four-state region that includes Alaska, Idaho, Montana, and Washington, and provides specialized care for a broad spectrum of patients. Harborview is maintained as a public hospital by King County to improve the health and well-being of the entire community and to provide quality healthcare to the most vulnerable.

3. The current hospital services agreement for the operation and maintenance of Harborview was authorized in 2016 through Ordinance 18232.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 6818, Section 2, as amended, and K.C.C. 2.42.010 are each hereby amended as follows:

~~((For the purposes of))~~ The definitions in this section apply throughout this chapter((:)) unless the context clearly requires otherwise.

A. "Administrator" means the chief administrative officer of the medical center, appointed under the terms of an approved management contract, who shall be responsible for supervising the daily management of the medical center in accordance with approved plans and policies and, for the purposes of the hospital services agreement, means the Executive Director.

B. "Board" means the Harborview Medical Center board of trustees appointed by the county for the purpose of overseeing the operation and management of the medical center.

C. "Council" means the King County council as described in Article 2 of the King County Charter.

D. "County governing authority" means both the county executive and county council in accordance with their charter assigned responsibilities.

E. "Executive" means the King County executive as described in Article 3 of the King County Charter.

F. "Harborview agreement to occupy space" means leases, rental agreements, or other agreements, including but not limited to use and licensing agreements, to occupy space signed by the University of

Washington, the administrator or the board that legally obligates Harborview Medical Center or King County.

G. "Hospital services agreement" means that approved management contract entitled the 2016 Hospital Services Agreement between King County by and through its Executive and the Harborview Medical Center Board of Trustees and the Regents of the University of Washington for the management of the medical center, the rendering of clinical services to patients of the medical center, and the conducting of teaching and research activities at the medical center by the university.

~~((G.))~~ H. "Long-range capital improvement program plan" or "long-range CIP plan" means a long-range plan that is produced as the first step in the medical center capital improvement process. The long-range CIP plan identifies capital development needs, establishes capital project standards and policies, identifies intended capital funding sources and alternatives, and presents analysis of medical center programs and the physical facilities needed to implement them. It further projects service levels, presents demographics of hospital clientele, makes an inventory and analysis of the effective use of physical facilities and provides specific direction in linking the capital improvement program to operating program needs.

~~((H.))~~ I. "Medical center" means the Harborview Medical Center to include the Norm Maleng Building, the Patricia Bracelin Steel Building, the Ninth and Jefferson Building, the View Park Garage, the Boren Garage, the Engineering Building, the Walter Scott Brown Building, the Child Care Center, the Firehouse Building, the Pioneer Square Clinic, Hobson Place Clinic, the Prosthetics and Orthodontics Clinic located in the Republican Building, and the hospital complex consisting of the Center Tower, the East Hospital, the West Hospital, the East Clinic and the West Clinic, long-term care pharmacies at Eastlake and Hobson Place, and any other building financed by Ordinance 19117, the King County 2020 Bond measure, once a building is operational. "Medical center" also includes any other location covered by a Harborview agreement to occupy space and that portion of space that is a University of Washington agreement to occupy space.

~~((I.))~~ J. "Project plan" means a plan produced for a specific capital project which analyzes specific project elements, defines project scope, location, size, costs and other needs. It follows master planning and

precedes project budgeting and also considers location, types and amounts of space, specific needs served, current and projected service population staffing and operating costs impacts, and alternative proposals for the sources of funding the project.

~~((J.))~~ K. "Superintendent" means the chief executive officer of the medical center, as described in state law, when the medical center is not operated under the terms of an approved management contract.

~~((K.))~~ L. "State law" means chapter 36.62 RCW, as amended, and any other applicable sections of state law.

~~((L.))~~ M. "University" means the University of Washington.

N. "University of Washington agreement to occupy space" means leases, rental agreements, or other agreements, including, but not limited to, use and licensing agreements, to occupy space signed by the University of Washington that legally obligates the University of Washington for space that is branded as Harborview or is supported by Harborview Medical Center resources and used to provide clinical services.

SECTION 2. Ordinance 6818, Section 6, and K.C.C. 2.42.050 are each hereby amended as follows:

The county governing authority, in accordance with charter assigned responsibilities, and in consultation with the board and other interested groups as appropriate, shall:

A. Set comprehensive public health policy for the county and in conjunction with the board, identify those components of the plan appropriate to the medical center's mission and purpose.

B. Review and approve the mission statement for the medical center and proposed changes thereto proposed by the board.

C. Monitor the performance of the board with regard to the policies contained in this chapter and advise the board of any apparent deficiencies.

D. Review and approve the medical center's long range CIP plan, the annual capital improvement budget and project plans.

E. Review and approve the admissions policy for the medical center.

F. Approve the acceptance of any real property by gift, devise, bequest or otherwise, for the medical center's use.

G. Review and approve any property and liability insurance coverage obtained by the board to protect the interests of the county with regard to medical center property and facilities.

H. In accordance with K.C.C. 2.42.090, review and approve Harborview agreements to occupy space.

NEW SECTION. SECTION 3. There is hereby added to K.C.C. chapter 2.42 a new section to read as follows:

A. For those Harborview agreements to occupy space that have a term longer than five years, including any automatic extensions or renewals to an initial term that extends the term beyond five years, council approval, by motion, is required before the Harborview agreement to occupy space may be executed. This subsection also applies to any decision to extend a Harborview agreement to occupy space longer than a cumulative total of five years, whether memorialized through an option, extension, amendment, or new agreement, except when circumstances require an immediate extension. The immediate extensions shall be limited in duration not to exceed one year and may be exercised only once for each Harborview agreement to occupy space subject to this subsection. As soon as reasonably possible, but not later than thirty days after an immediate extension is in force, the administrator shall electronically transmit to the clerk of the council a letter describing the circumstances that gave rise to the immediate extension of a Harborview agreement to occupy space. The clerk shall retain an electronic copy of the letter and provide an electronic copy to all councilmembers, the council chief of staff, and the lead staff for the committee of the whole, or its successor.

B. For those Harborview agreements to occupy space that do not meet the criteria in subsection A. of this section, the administrator shall notify the board as soon as practicable of an agreement to occupy space. The administrator or designee may execute such an agreement prior to board notice when circumstances require execution before board notification; however, in such an instance, the administrator shall notify the board as soon as reasonably possible, but not later than thirty days after the administrator executed the

agreement and the notification shall describe the circumstances that required execution before board notification.

SECTION 4. Ordinance 6818, Section 10, as amended, and K.C.C. 2.42.090 are each hereby amended as follows:

A. At a minimum, the board shall provide the executive and the council with an annual report including the following items:

1. A financial report and statement for the medical center's preceding fiscal year;
2. A summary of the proceedings of the board including the attendance record of the trustees during the preceding fiscal year;
3. A summary of the medical center annual proposed operating budget including anticipated plans and highlights for the coming year;
4. A report on medical center programs and services including the quality of patient care;
5. A report on the extent and type of care provided to priority patients, and proposed changes for improvement; ~~((and))~~
6. An annual fixed assets inventory report for medical center property and equipment; and
7. A report on all Harborview agreements to occupy space.

SECTION 5. The executive and the president of the Harborview Medical Center board of trustees are authorized to execute an amendment to the hospital services agreement substantially in the form of Attachment A to this ordinance.