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HOUSE BILL 1899

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State of Washington

61st Legislature

2009 Regular Session

By Representatives Warnick and Hinkle

Read first time 02/02/09. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to physicians holding a retired active license;  
2 amending RCW 18.71.080 and 18.130.250; adding a new section to chapter  
3 18.71 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that increasing the  
6 number of retired physicians who provide volunteer health care services  
7 is a cost-effective way to improve access to health care for many  
8 citizens of this state. Physicians holding a retired active license  
9 must currently meet many of the same requirements as physicians in  
10 active practice, including at least fifty hours of continuing education  
11 a year, despite the fact that retired active physicians may only  
12 practice a maximum of ninety days a year, are limited to providing  
13 primary care services, and are limited to providing such services only  
14 in community clinics that are operated by public or private tax-exempt  
15 corporations. This presents both financial and practical barriers for  
16 retired physicians who wish to provide health care services on a  
17 volunteer basis, barriers that are not as stringent in other states  
18 that provide similar licenses for retired physicians. It is therefore

1 the intent of the legislature to ease some of these barriers in a  
2 manner that does not adversely affect public safety.

3 **Sec. 2.** RCW 18.71.080 and 1996 c 191 s 52 are each amended to read  
4 as follows:

5 Every person licensed to practice medicine in this state shall pay  
6 licensing fees and renew his or her license in accordance with  
7 administrative procedures and administrative requirements adopted as  
8 provided in RCW 43.70.250 and 43.70.280. The commission may establish  
9 rules governing mandatory continuing education requirements which shall  
10 be met by physicians applying for renewal of licenses. The rules shall  
11 provide that mandatory continuing education requirements may be met in  
12 part by physicians showing evidence of the completion of approved  
13 activities relating to professional liability risk management. The  
14 number of hours of continuing education for a physician holding a  
15 retired active license shall not exceed ten hours per year. The  
16 commission, in its sole discretion, may permit an applicant who has not  
17 renewed his or her license to be licensed without examination if it is  
18 satisfied that such applicant meets all the requirements for licensure  
19 in this state, and is competent to engage in the practice of medicine.

20 **Sec. 3.** RCW 18.130.250 and 1991 c 229 s 1 are each amended to read  
21 as follows:

22 The disciplining authority may adopt rules pursuant to this section  
23 authorizing a retired active license status. An individual  
24 credentialed by a disciplining authority regulated in the state under  
25 RCW 18.130.040, who is practicing only in emergent or intermittent  
26 circumstances as defined by rule established by the disciplining  
27 authority, may hold a retired active license at a reduced renewal fee  
28 established by the secretary under RCW 43.70.250. Except as provided  
29 in RCW 18.71.080, such a license shall meet the continuing education or  
30 continued competency requirements, if any, established by the  
31 disciplining authority for renewals, and is subject to the provisions  
32 of this chapter. Individuals who have entered into retired status  
33 agreements with the disciplinary authority in any jurisdiction shall  
34 not qualify for a retired active license under this section.

1        NEW SECTION.   **Sec. 4.**   A new section is added to chapter 18.71 RCW  
2   to read as follows:

3        (1)   The commission shall consider amending its rules on retired  
4   active physicians in a manner that improves access to health care  
5   services for the citizens of this state without compromising public  
6   safety.   When considering whether to amend its rules, the commission  
7   shall, at a minimum, consider the following:

8        (a)   Whether physicians holding retired active licenses should be  
9   allowed to provide health care services beyond primary care; and

10        (b)   Whether physicians holding retired active licenses should be  
11   allowed to provide health care services in settings beyond community  
12   clinics operated by public or private tax-exempt corporations.

13        (2)   The commission shall determine whether it will amend its rules  
14   in the manner suggested by this section no later than November 15,  
15   2009.   If the commission determines that it will not amend its rules,  
16   it shall provide a written explanation of its decision to the  
17   appropriate committees of the legislature no later than December 1,  
18   2009.

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