
HOUSE BILL 1383

State of Washington

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By Representatives Taylor, Stonier, Dolan, J. Johnson, Leavitt, Simmons, Berry, Fitzgibbon, Sells, Ryu, Berg, Ormsby, Macri, and Morgan

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1 AN ACT Relating to respiratory care practitioners; amending RCW
2 18.89.010, 18.89.040, 18.89.050, and 18.89.090; and providing an
3 effective date.

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

5 **Sec. 1.** RCW 18.89.010 and 1997 c 334 s 1 are each amended to
6 read as follows:

7 The legislature finds that in order to safeguard life, health,
8 and to promote public welfare, a person practicing or offering to
9 practice respiratory care as a respiratory care practitioner in this
10 state shall be required to submit evidence that he or she is
11 qualified to practice, and shall be licensed as provided. The
12 settings for these services may include, health facilities licensed
13 in this state, clinics, home care, home health agencies, physicians'
14 offices, ~~((and))~~ public or community health services, and services
15 provided through telemedicine to patients in these settings. Nothing
16 in this chapter shall be construed to require that individual or
17 group policies or contracts of an insurance carrier, health care
18 service contractor, or health maintenance organization provide
19 benefits or coverage for services and supplies provided by a person
20 certified under this chapter.

1 **Sec. 2.** RCW 18.89.040 and 2011 c 235 s 2 are each amended to
2 read as follows:

3 (1) A respiratory care practitioner licensed under this chapter
4 is employed in the treatment, management, diagnostic testing,
5 rehabilitation, disease prevention, and care of patients with
6 deficiencies and abnormalities which affect the cardiopulmonary
7 system and associated aspects of other systems, and is under the
8 direct written, verbal, or telephonic order and under the qualified
9 medical direction of a health care practitioner. The practice of
10 respiratory care includes:

11 (a) The use and administration of prescribed medical gases,
12 exclusive of general anesthesia, including the administration of
13 nitrous oxide for analgesia;

14 (b) The use of air and oxygen administering apparatus;

15 (c) The use of humidification and aerosols;

16 (d) The administration, to the extent of training, as determined
17 by the secretary, of prescribed pharmacologic agents, including any
18 medications administered via a nebulizer, related to ((~~respiratory~~))
19 cardiopulmonary care;

20 (e) The use of mechanical ventilatory, hyperbaric, and
21 physiological support;

22 (f) Postural drainage, chest percussion, and vibration;

23 (g) Bronchopulmonary hygiene;

24 (h) Cardiopulmonary resuscitation as it pertains to advanced
25 cardiac life support or pediatric advanced life support guidelines;

26 (i) The maintenance of natural and artificial airways and
27 insertion, without cutting tissues, of artificial airways, as
28 prescribed by a health care practitioner;

29 (j) Diagnostic and monitoring techniques such as the collection
30 and measurement of cardiorespiratory specimens, volumes, pressures,
31 and flows;

32 (k) The insertion of devices to draw, analyze, infuse, or monitor
33 pressure in arterial, capillary, or venous blood as prescribed by a
34 health care practitioner; ((~~and~~))

35 (l) Diagnostic monitoring of and therapeutic interventions for
36 desaturation, ventilatory patterns, and related sleep abnormalities
37 to aid the health care practitioner in diagnosis. This subsection
38 does not prohibit any person from performing sleep monitoring tasks
39 as set forth in this subsection under the supervision or direction of
40 a licensed health care provider;

1 (m) Extracorporeal life support and extracorporeal membrane
2 oxygenation; and

3 (n) Cardiopulmonary stress testing, including the administration
4 of medications used during cardiopulmonary stress testing.

5 (2) Nothing in this chapter prohibits or restricts:

6 (a) The practice of a profession by individuals who are licensed
7 under other laws of this state who are performing services within
8 their authorized scope of practice, that may overlap the services
9 provided by respiratory care practitioners;

10 (b) The practice of respiratory care by an individual employed by
11 the government of the United States while the individual is engaged
12 in the performance of duties prescribed for him or her by the laws
13 and rules of the United States;

14 (c) The practice of respiratory care by a person pursuing a
15 supervised course of study leading to a degree or certificate in
16 respiratory care as a part of an accredited and approved educational
17 program, if the person is designated by a title that clearly
18 indicates his or her status as a student or trainee and limited to
19 the extent of demonstrated proficiency of completed curriculum, and
20 under direct supervision;

21 (d) The use of the title "respiratory care practitioner" by
22 registered nurses authorized under chapter 18.79 RCW; or

23 (e) The practice without compensation of respiratory care of a
24 family member.

25 Nothing in this chapter shall be construed to require that
26 individual or group policies or contracts of an insurance carrier,
27 health care service contractor, or health maintenance organization
28 provide benefits or coverage for services and supplies provided by a
29 person licensed under this chapter.

30 **Sec. 3.** RCW 18.89.050 and 2004 c 262 s 13 are each amended to
31 read as follows:

32 (1) In addition to any other authority provided by law, the
33 secretary may:

34 (a) Adopt rules, in accordance with chapter 34.05 RCW, necessary
35 to implement this chapter;

36 (b) Set all license, examination, and renewal fees in accordance
37 with RCW 43.70.250;

38 (c) Establish forms and procedures necessary to administer this
39 chapter;

1 (d) Issue a license to any applicant who has met the education,
2 training, and examination requirements for licensure;

3 (e) Hire clerical, administrative, and investigative staff as
4 needed to implement this chapter and hire individuals licensed under
5 this chapter to serve as examiners for any practical examinations;

6 (f) Approve those schools from which graduation will be accepted
7 as proof of an applicant's eligibility to take the licensure
8 examination, specifically requiring that applicants must have
9 completed an accredited respiratory program with at least a two-year
10 curriculum;

11 (g) Prepare, grade, and administer, or determine the nature of,
12 and supervise the grading and administration of, examinations for
13 applicants for licensure;

14 (h) Determine whether alternative methods of training are
15 equivalent to formal education and establish forms, procedures, and
16 criteria for evaluation of an applicant's alternative training to
17 determine the applicant's eligibility to take the examination;

18 (i) Determine which states have legal credentialing requirements
19 equivalent to those of this state and issue licenses to individuals
20 legally credentialed in those states without examination;

21 (j) Define and approve any experience requirement for licensure;
22 and

23 (k) Appoint members of the profession to serve in an ad hoc
24 advisory capacity to the secretary in carrying out this chapter. The
25 members will serve for designated times and provide advice on matters
26 specifically identified and requested by the secretary. The members
27 shall be compensated in accordance with RCW 43.03.220 and reimbursed
28 for travel expenses under RCW 43.03.040 and 43.03.060.

29 (2) The provisions of chapter 18.130 RCW shall govern the
30 issuance and denial of licenses, unlicensed practice, and the
31 disciplining of persons licensed under this chapter. The secretary
32 shall be the disciplining authority under this chapter.

33 **Sec. 4.** RCW 18.89.090 and 1997 c 334 s 8 are each amended to
34 read as follows:

35 (1) The secretary shall issue a license to any applicant who
36 demonstrates to the secretary's satisfaction that the following
37 requirements have been met:

1 (a) Graduation from a school approved by the secretary or
2 successful completion of alternate training which meets the criteria
3 established by the secretary;

4 (b) (~~Successful~~) For licenses issued prior to the effective
5 date of this section, successful completion of an examination
6 administered or approved by the secretary. For licenses issued on or
7 after the effective date of this section, possession of an active
8 credential in good standing as a registered respiratory therapist
9 issued by the national board for respiratory care or successor
10 organization;

11 (c) Successful completion of any experience requirement
12 established by the secretary;

13 (d) Good moral character.

14 In addition, applicants shall be subject to the grounds for
15 denial or issuance of a conditional license under chapter 18.130 RCW.

16 (2) (~~A person who meets the qualifications to be admitted to the~~
17 ~~examination for licensure as a respiratory care practitioner may~~
18 ~~practice as a respiratory care practitioner under the supervision of~~
19 ~~a respiratory care practitioner licensed under this chapter between~~
20 ~~the date of filing an application for licensure and the announcement~~
21 ~~of the results of the next succeeding examination for licensure if~~
22 ~~that person applies for and takes the first examination for which he~~
23 ~~or she is eligible.~~

24 (3) ~~A person certified as a respiratory care practitioner in good~~
25 ~~standing on July 1, 1998, who applies within one year of July 1,~~
26 ~~1998, may be licensed without having completed the two-year~~
27 ~~curriculum set forth in RCW 18.89.050(1)(f), and without having to~~
28 ~~retake an examination under subsection (1)(b) of this section.~~

29 (4)) The secretary shall establish by rule what constitutes
30 adequate proof of meeting the criteria.

31 NEW SECTION. **Sec. 5.** This act takes effect January 1, 2022.

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