

SENATE BILL REPORT

SSB 5365

As Passed Senate, March 9, 1995

Title: An act relating to the uniform disciplinary act.

Brief Description: Revising the uniform disciplinary act.

Sponsors: Senate Committee on Health & Long-Term Care (originally sponsored by Senators Fairley, Deccio, Wojahn and Winsley; by request of Department of Health).

Brief History:

Committee Activity: Health & Long-Term Care: 2/2/95, 2/16/95 [DPS].
Passed Senate, 3/9/95, 47-0.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: That Substitute Senate Bill No. 5365 be substituted therefor, and the substitute bill do pass.

Signed by Senators Quigley, Chair; Wojahn, Vice Chair; Deccio, Fairley, Franklin, Moyer, Winsley and Wood.

Staff: Rhoda Jones (786-7198)

Background: The state's Uniform Disciplinary Act (UDA) of 1984 requires that the state standardize disciplinary procedures for all 47 credentialed health professions. Authority to do this rests with Secretary of Health for 16 professions, and with 21 independent health care boards and commissions. The UDA has been changed over the years to improve consistency and uniformity amongst the professions in carrying out discipline activities.

Summary of Bill: Health care boards and commissions are required to adopt consistent procedures for all disciplinary procedures under the UDA. The secretary must establish time periods for each step in the discipline process including investigations, charges, settlements and adjudications. The role of presiding judges is expanded, allowing them to render final decisions in disciplinary hearings. Alternative forums for dispute resolution are authorized including mediation, arbitration, or prehearing conferences.

Following a complaint investigation, specific procedures must be followed before a physical or mental examination of a professional may be ordered.

The Department of Health may screen complaints that are trivial, and not require a health care professional go through the discipline process for these offenses.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill makes the UDA more uniform and fair.

Testimony Against: None.

Testified: PRO: Nick Federici, WSNA; Ron Weaver, DOH; Andy Dolan, WSMA; Liz Merten, WA Retail Assn. Pharmacy Council; Patty Hayes, ARNPs United.

House Amendment(s): A de minimus complaint category is eliminated.

The secretary is to establish a system for recruiting, appointing, and orienting public members to the regulatory boards.

The secretary is required to assist in coordinating the development of uniform guidelines to be adopted by the health boards and commissions for treating patients in chronic pain.

The secretary, at the request of a health professions board or association, is authorized to define by rule ethical standards in managed care contracting that foster compliance with patient care standards and professional conduct; promote quality medical practice; and protect the public health and safety. Violations of these ethical standards constitute unprofessional conduct under the Uniform Disciplinary Act.

The Secretary of Health is established as the disciplining authority for the denturist licensure act. This section takes effect immediately.