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HOUSE BILL 1324

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State of Washington                      54th Legislature                      1995 Regular Session

By Representatives Veloria, Cody, Dellwo and Dickerson

Read first time 01/20/95. Referred to Committee on Health Care.

1            AN ACT Relating to the medical quality assurance commission; and  
2 amending RCW 18.71.015.

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

4            **Sec. 1.** RCW 18.71.015 and 1994 sp.s. c 9 s 303 are each amended to  
5 read as follows:

6            The Washington state medical quality assurance commission is  
7 established, consisting of thirteen individuals licensed to practice  
8 medicine in the state of Washington under this chapter, two individuals  
9 who are licensed as physician assistants under chapter 18.71A RCW, and  
10 four individuals who are members of the public. One member of the  
11 commission must be knowledgeable in the use of nontraditional  
12 treatment. Each congressional district now existing or hereafter  
13 created in the state must be represented by at least one physician  
14 member of the commission. The terms of office of members of the  
15 commission are not affected by changes in congressional district  
16 boundaries. Public members of the commission may not be a member of  
17 any other health care licensing board or commission, or have a  
18 fiduciary obligation to a facility rendering health services regulated

1 by the commission, or have a material or financial interest in the  
2 rendering of health services regulated by the commission.

3 The members of the commission shall be appointed by the governor.  
4 Members of the initial commission may be appointed to staggered terms  
5 of one to four years, and thereafter all terms of appointment shall be  
6 for four years. The governor shall consider such physician and  
7 physician assistant members who are recommended for appointment by the  
8 appropriate professional associations in the state. In appointing the  
9 initial members of the commission, it is the intent of the legislature  
10 that, to the extent possible, the existing members of the board of  
11 medical examiners and medical disciplinary board repealed under section  
12 336, chapter 9, Laws of 1994 sp. sess. be appointed to the commission.  
13 No member may serve more than two consecutive full terms. Each member  
14 shall hold office until a successor is appointed.

15 Each member of the commission must be a citizen of the United  
16 States, must be an actual resident of this state, and, if a physician,  
17 must have been licensed to practice medicine in this state for at least  
18 five years.

19 The commission shall meet as soon as practicable after appointment  
20 and elect officers each year. Meetings shall be held at least four  
21 times a year and at such place as the commission determines and at such  
22 other times and places as the commission deems necessary. A majority  
23 of the commission members appointed and serving constitutes a quorum  
24 for the transaction of commission business.

25 The affirmative vote of a majority of a quorum of the commission is  
26 required to carry any motion or resolution, to adopt any rule, or to  
27 pass any measure. The commission may appoint panels consisting of at  
28 least three members. A quorum for the transaction of any business by  
29 a panel is a minimum of three members. A majority vote of a quorum of  
30 the panel is required to transact business delegated to it by the  
31 commission.

32 Each member of the commission shall be compensated in accordance  
33 with RCW 43.03.240 and in addition thereto shall be reimbursed for  
34 travel expenses incurred in carrying out the duties of the commission  
35 in accordance with RCW 43.03.050 and 43.03.060. Any such expenses  
36 shall be paid from funds appropriated to the department of health.

37 Whenever the governor is satisfied that a member of a commission  
38 has been guilty of neglect of duty, misconduct, or malfeasance or  
39 misfeasance in office, the governor shall file with the secretary of

1 state a statement of the causes for and the order of removal from  
2 office, and the secretary shall forthwith send a certified copy of the  
3 statement of causes and order of removal to the last known post office  
4 address of the member.

5 Vacancies in the membership of the commission shall be filled for  
6 the unexpired term by appointment by the governor.

7 The members of the commission are immune from suit in an action,  
8 civil or criminal, based on its disciplinary proceedings or other  
9 official acts performed in good faith as members of the commission.

10 Whenever the workload of the commission requires, the commission  
11 may request that the secretary appoint pro tempore members of the  
12 commission. When serving, pro tempore members of the commission have  
13 all of the powers, duties, and immunities, and are entitled to all of  
14 the emoluments, including travel expenses, of regularly appointed  
15 members of the commission.

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