

---

HOUSE BILL 1758

---

State of Washington                      54th Legislature                      1995 Regular Session

By Representatives Backlund, Sherstad, Dyer, Morris and Cody

Read first time 02/07/95. Referred to Committee on Health Care.

1            AN ACT Relating to repealing the health personnel resources plan,  
2 transferring data gathering to the health services commission; amending  
3 RCW 43.70.470; adding a new section to chapter 70.170 RCW; adding a new  
4 section to chapter 28B.80 RCW; creating new sections; repealing RCW  
5 28B.125.005 and 28B.125.010; providing an effective date; and declaring  
6 an emergency.

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

8            NEW SECTION.    **Sec. 1.** The intent of this act is to create the  
9 capacity to collect data regarding the distribution of health care  
10 professionals in the state. The purpose of this collection is to make  
11 the data available to the public and private sector for their use.

12            This data gathering and the analysis of the data by state  
13 government is done with the assumption that the scopes of practice of  
14 the health care professions in effect at that time are appropriate.

15            **Sec. 2.** RCW 43.70.470 and 1993 c 492 s 277 are each amended to  
16 read as follows:

17            The department may establish by rule the conditions of  
18 participation in the liability insurance program by retired primary

1 care providers at clinics utilizing retired (~~(physicians [primary care~~  
2 ~~providers])~~) primary care providers for the purposes of this section  
3 and RCW 43.70.460. These conditions shall include, but not be limited  
4 to, the following:

5 (1) The participating primary care provider associated with the  
6 clinic shall hold a valid license to practice as a physician under  
7 chapter 18.71 or 18.57 RCW, a naturopath under chapter 18.36A RCW, a  
8 physician assistant under chapter 18.71A or 18.57A RCW, an advanced  
9 registered nurse practitioner under chapter (~~(18.88)~~) 18.79 RCW, or a  
10 dentist under chapter 18.32 RCW(~~(, or other health professionals as may~~  
11 ~~be deemed in short supply in the health personnel resource plan under~~  
12 ~~chapter 28B.125 RCW)~~). All primary care providers must be in  
13 conformity with current requirements for licensure as a retired primary  
14 care provider, including continuing education requirements;

15 (2) The participating primary care provider shall limit the scope  
16 of practice in the clinic to primary care. Primary care shall be  
17 limited to noninvasive procedures and shall not include obstetrical  
18 care, or any specialized care and treatment. Noninvasive procedures  
19 include injections, suturing of minor lacerations, and incisions of  
20 boils or superficial abscesses. Primary dental care shall be limited  
21 to diagnosis, oral hygiene, restoration, and extractions and shall not  
22 include orthodontia, or other specialized care and treatment;

23 (3) The provision of liability insurance coverage shall not extend  
24 to acts outside the scope of rendering medical services pursuant to  
25 this section and RCW 43.70.460;

26 (4) The participating primary care provider shall limit the  
27 provision of health care services to primarily low-income persons  
28 provided that clinics may, but are not required to, provide means tests  
29 for eligibility as a condition for obtaining health care services;

30 (5) The participating primary care provider shall not accept  
31 compensation for providing health care services from patients served  
32 pursuant to this section and RCW 43.70.460, nor from clinics serving  
33 these patients. "Compensation" shall mean any remuneration of value to  
34 the participating primary care provider for services provided by the  
35 primary care provider, but shall not be construed to include any  
36 nominal copayments charged by the clinic, nor reimbursement of related  
37 expenses of a participating primary care provider authorized by the  
38 clinic in advance of being incurred; and

1 (6) The use of mediation or arbitration for resolving questions of  
2 potential liability may be used, however any mediation or arbitration  
3 agreement format shall be expressed in terms clear enough for a person  
4 with a sixth grade level of education to understand, and on a form no  
5 longer than one page in length.

6 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.170 RCW  
7 to read as follows:

8 There is established, within the health services commission, or its  
9 successor agency, within the information advisory council, a health  
10 care professional information data system. The system shall identify  
11 the type, number, and location of health care professionals working in  
12 the state and create a centralized inventory of applications,  
13 matriculations, and graduations from all health care training programs  
14 in the state in vocational-technical training, community colleges, and  
15 four-year colleges and universities.

16 NEW SECTION. **Sec. 4.** The functions of implementing the state-wide  
17 nursing plan authorized by RCW 74.39.040 are hereby transferred to the  
18 higher education coordinating board from the committee established by  
19 RCW 28B.125.010.

20 NEW SECTION. **Sec. 5.** A new section is added to chapter 28B.80 RCW  
21 to read as follows:

22 In its deliberations regarding scholarship and debt retirement, the  
23 board shall consider data collected under section 3 of this act and in  
24 relation to federally designated health personnel shortage areas where  
25 such areas exist within the state.

26 NEW SECTION. **Sec. 6.** The department of health shall cease its  
27 work on "Health Care Workforce 2000" and either reallocate the funds  
28 from the Pew commission grant for use in childhood immunization or  
29 return the funds to the Pew commission.

30 NEW SECTION. **Sec. 7.** The following acts or parts of acts are each  
31 repealed:

32 (1) RCW 28B.125.005 and 1991 c 332 s 4; and

33 (2) RCW 28B.125.010 and 1993 c 492 s 270 & 1991 c 332 s 5.

1        NEW SECTION.    **Sec. 8.**    Information gathered through this act shall  
2 not be used to change or recommend change to the scope of practice of  
3 any health care profession nor shall the commission, the information  
4 advisory council, or its successor advise, or undertake to change such  
5 scope of practice.

6        NEW SECTION.    **Sec. 9.**    This act is necessary for the immediate  
7 preservation of the public peace, health, or safety, or support of the  
8 state government and its existing public institutions, and shall take  
9 effect July 1, 1995.

--- END ---