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HOUSE BILL 1962

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State of Washington                      54th Legislature                      1995 Regular Session

By Representatives Dyer, Carlson and Kremen

Read first time 02/17/95. Referred to Committee on Health Care.

1            AN ACT Relating to adult family homes; amending RCW 70.128.005,  
2 70.128.007, 70.128.010, 70.128.057, 70.128.060, 70.128.070, 70.128.120,  
3 70.128.040, 70.128.080, 70.128.090, 70.128.170, 70.128.130, 70.128.140,  
4 70.128.150, 70.128.160, and 70.128.175; reenacting and amending RCW  
5 18.130.040; adding new sections to chapter 70.128 RCW; adding a new  
6 chapter to Title 18 RCW; and repealing RCW 70.128.180.

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

8            **Sec. 1.** RCW 70.128.005 and 1989 c 427 s 14 are each amended to  
9 read as follows:

10            The legislature finds that:

11            (1) Adult family homes are an important part of the state's long-  
12 term care system. Adult family homes provide an alternative to  
13 institutional care and promote a high degree of independent living for  
14 residents;

15            (2) Persons with functional limitations have broadly varying  
16 service needs. Adult family homes that can meet those needs are an  
17 essential component of a long-term system;

1       (3) The development and operation of adult family homes that can  
2 provide quality personal care and special care services should be  
3 encouraged.

4       **Sec. 2.** RCW 70.128.007 and 1989 c 427 s 15 are each amended to  
5 read as follows:

6       The purposes of this chapter are to:

7       (1) Encourage the establishment and maintenance of adult family  
8 homes that provide a humane, safe, and homelike environment for persons  
9 with functional limitations who need personal and special care;

10       (2) Establish standards for regulating adult family homes that  
11 adequately protect residents, but are consistent with the abilities and  
12 resources of an adult family home so as not to discourage individuals  
13 from serving as adult family home providers; ~~((and))~~

14       (3) Encourage consumers, families, providers, and the public to  
15 become active in assuring their full participation in development of  
16 adult family homes that provide high quality care;

17       (4) Provide for appropriate care of residents in adult family  
18 homes; and

19       (5) Accord each resident the right to participate in the  
20 development of the resident care plan and in other major decisions  
21 involving the resident and his or her care.

22       **Sec. 3.** RCW 70.128.010 and 1989 c 427 s 16 are each amended to  
23 read as follows:

24       Unless the context clearly requires otherwise, the definitions in  
25 this section apply throughout this chapter.

26       (1) "Adult family home" means a regular family abode ~~((of))~~ in  
27 which a person or persons ~~((who are providing))~~ provides personal care,  
28 special care, room, and board to more than one but not more than  
29 ~~((four))~~ six adults who are not related by blood or marriage to the  
30 person or persons providing the services ~~((; except that a maximum of~~  
31 ~~six adults may be permitted if the department determines that the home~~  
32 ~~is of adequate size and that the home and the provider are capable of~~  
33 ~~meeting standards and qualifications as provided for in this act)).~~ An  
34 adult family home may hold itself out as either an adult family home or  
35 an adult care home.

36       (2) "Provider" means any person who is licensed under this chapter  
37 to operate an adult family home. The provider shall reside at the

1 adult family home(~~(, except that)~~). Exceptions may be authorized by  
2 the department (~~(for good cause,)~~) through standards as defined in  
3 rule.

4 (3) "Department" means the department of social and health  
5 services.

6 (4) "Resident" means an adult in need of personal or special care  
7 in an adult family home who is not related to the provider.

8 (5) "Adults" means persons who have attained the age of eighteen  
9 years.

10 (6) "Home" means an adult family home.

11 (7) "Imminent danger" means serious physical harm to or death of a  
12 resident has occurred, or there is a serious threat to resident life,  
13 health, or safety.

14 (8) "Special care" means care beyond personal care as defined by  
15 the department, in rule.

16 (9) "Capacity" means the maximum number of persons in need of  
17 personal or special care permitted in an adult family home at a given  
18 time. This number shall include related children or adults living in  
19 the home and who receive full-time care.

20 **Sec. 4.** RCW 70.128.057 and 1991 c 40 s 2 are each amended to read  
21 as follows:

22 Notwithstanding the existence or use of any other remedy, the  
23 department may, in the manner provided by law, upon the advice of the  
24 attorney general who shall represent the department in the proceedings,  
25 maintain an action in the name of the state for an injunction, civil  
26 penalty, or other process against a person to restrain or prevent the  
27 operation or maintenance of an adult family home without a license  
28 under this chapter.

29 NEW SECTION. **Sec. 5.** A new section is added to chapter 70.128 RCW  
30 to read as follows:

31 The legislature finds that the operation of an adult family home  
32 without a license in violation of this chapter is a matter vitally  
33 affecting the public interest for the purpose of applying the consumer  
34 protection act, chapter 19.86 RCW. Operation of an adult family home  
35 without a license in violation of this chapter is not reasonable in  
36 relation to the development and preservation of business. Such a  
37 violation is an unfair or deceptive act in trade or commerce and an

1 unfair method of competition for the purpose of applying the consumer  
2 protection act, chapter 19.86 RCW.

3 **Sec. 6.** RCW 70.128.060 and 1989 c 427 s 20 are each amended to  
4 read as follows:

5 (1) An application for license shall be made to the department upon  
6 forms provided by it and shall contain such information as the  
7 department reasonably requires.

8 (2) The department shall issue a license to an adult family home if  
9 the department finds that the applicant and the home are in compliance  
10 with this chapter and the rules adopted under this chapter; and that  
11 the applicant has no prior violations of this chapter relating to the  
12 adult family home subject to the application or any other adult family  
13 home, or of any other law regulating residential care facilities within  
14 the past five years that resulted in revocation or nonrenewal of a  
15 license.

16 (3) The department shall not issue a license to a provider if the  
17 department finds that the provider or any partner, officer, director,  
18 managerial employee, or owner of five percent or more of the provider  
19 has a history of significant noncompliance with federal or state  
20 regulations, rules, or laws in providing care or services to vulnerable  
21 adults or to children.

22 (4) The license fee shall be submitted with the application.

23 ~~((4))~~ (5) The department shall license an adult family home for  
24 the maximum level of care that the adult family home may provide. The  
25 department shall define, in rule, license levels based upon the  
26 education, training, and caregiving experience of the licensed provider  
27 or staff.

28 (6) The department shall serve upon the applicant a copy of the  
29 decision granting or denying an application for a license. An  
30 applicant shall have the right to contest denial of his or her  
31 application for a license as provided in chapter 34.05 RCW by  
32 requesting a hearing in writing within ~~((ten))~~ twenty-eight days after  
33 receipt of the notice of denial.

34 ~~((5) A provider shall not be licensed for more than one adult~~  
35 ~~family home. Exceptions may be authorized by the department for good~~  
36 ~~cause, as defined in rule. The department shall submit to appropriate~~  
37 ~~committees of the legislature, by December 1, 1991, a report on the~~  
38 ~~number and type of good cause exceptions granted.~~

1       ~~(6))~~ (7) The department shall establish, by rule, standards used  
2 to license nonresident providers and multiple facility operators.

3       (8) The department by rule shall establish for multiple facility  
4 operators educational standards substantially equivalent to recognized  
5 national certification standards for residential care administrators.

6       (9) The license fee shall be set at fifty dollars per year for each  
7 home. A fifty dollar processing fee shall also be charged each home  
8 when the home is initially licensed.

9       **Sec. 7.** RCW 70.128.070 and 1989 c 427 s 22 are each amended to  
10 read as follows:

11       (1) A license shall be valid for one year.

12       (2) At least ~~((ninety))~~ sixty days prior to expiration of the  
13 license, the provider shall submit an application for renewal of a  
14 license. The department shall send the provider an application for  
15 renewal prior to this time. The department shall have the authority to  
16 investigate any information included in the application for renewal of  
17 a license.

18       (3)(a) Homes applying for a license shall be inspected at the time  
19 of licensure.

20       (b) Homes licensed by the department shall be inspected at least  
21 every eighteen months, subject to available funds.

22       (c) ~~((Licensed homes where a complaint has been received by the~~  
23 ~~department may be inspected at any time.))~~ The department may make an  
24 unannounced inspection of a licensed home at any time to assure that  
25 the home and provider are in compliance with this chapter and the rules  
26 adopted under this chapter.

27       (4) If the department finds that the home is not in compliance with  
28 this chapter, it shall require the home to correct any violations as  
29 provided in this chapter. If the department finds that the home is in  
30 compliance with this chapter and the rules adopted under this chapter,  
31 the department shall renew the license of the home.

32       **Sec. 8.** RCW 70.128.120 and 1989 c 427 s 24 are each amended to  
33 read as follows:

34       An adult family home provider shall have the following minimum  
35 qualifications:

36       (1) Twenty-one years of age or older;

37       (2) Good moral and responsible character and reputation;

- 1       (3) Literacy; (~~and~~)  
2       (4) Management and administrative ability to carry out the  
3 requirements of this chapter;  
4       (5) Satisfactory completion of department-approved initial training  
5 and continuing education training as specified by the department in  
6 rule;  
7       (6) Satisfactory completion of department-approved, or equivalent,  
8 special care training before a provider may provide special care  
9 services to a resident;  
10       (7) Not been convicted of any crime listed in RCW 43.43.830 and  
11 43.43.842; and  
12       (8) Registered with the department of health.

13       **Sec. 9.** RCW 70.128.040 and 1989 c 427 s 18 are each amended to  
14 read as follows:

15       (1) The department shall adopt rules and standards with respect to  
16 all adult family homes and the operators thereof to be licensed under  
17 this chapter to carry out the purposes and requirements of this  
18 chapter. In developing rules and standards the department shall  
19 recognize the residential family-like nature of adult family homes and  
20 not develop rules and standards which by their complexity serve as an  
21 overly restrictive barrier to the development of the adult family homes  
22 in the state. Procedures and forms established by the department shall  
23 be developed so they are easy to understand and comply with. Paper  
24 work requirements shall be minimal. Easy to understand materials shall  
25 be developed for homes explaining licensure requirements and  
26 procedures.

27       (2) During the initial stages of development of proposed rules, the  
28 department shall provide notice of development of the rules to  
29 organizations representing adult family homes and their residents, and  
30 other groups that the department finds appropriate. The notice shall  
31 state the subject of the rules under consideration and solicit written  
32 recommendations regarding their form and content.

33       (3) Except where provided otherwise, chapter 34.05 RCW shall govern  
34 all department rule-making and adjudicative activities under this  
35 chapter.

36       **Sec. 10.** RCW 70.128.080 and 1989 c 427 s 21 are each amended to  
37 read as follows:

1 An adult family home shall have readily available for review by the  
2 department, residents, and the public:

3 (1) Its license to operate; and

4 (2) A copy of each inspection report received by the home from the  
5 department for the past three years.

6 **Sec. 11.** RCW 70.128.090 and 1989 c 427 s 30 are each amended to  
7 read as follows:

8 (1) During inspections of an adult family home, the department  
9 shall have access and authority to examine areas and articles in the  
10 home used to provide care or support to residents, including residents'  
11 records, accounts, and the physical premises, including the buildings,  
12 grounds, and equipment. The department also shall have the authority  
13 to interview the provider and residents of an adult family home.

14 (2) Whenever an inspection is conducted, the department shall  
15 prepare a written report that summarizes all information obtained  
16 during the inspection, and if the home is in violation of this chapter,  
17 serve a copy of the inspection report upon the provider at the same  
18 time as a notice of violation. If the home is not in violation of this  
19 chapter, a copy of the inspection report shall be mailed to the  
20 provider within ten days of the inspection of the home. All inspection  
21 reports shall be made available to the public at the department during  
22 business hours.

23 ~~(3) ((The inspection report shall describe any corrective measures~~  
24 ~~on the part of the provider necessary to pass a reinspection. If the~~  
25 ~~department finds upon reinspection of the home that the corrective~~  
26 ~~measures have been satisfactorily implemented, the department shall~~  
27 ~~cease any actions taken against the home. Nothing in this section~~  
28 ~~shall require the department to license or renew the license of a home~~  
29 ~~where serious physical harm or death has occurred to a resident))~~ The  
30 provider shall develop corrective measures for any violations found by  
31 the department's inspection. The department may provide consultation  
32 and technical assistance to assist the provider in developing effective  
33 corrective measures. The department shall include a statement of the  
34 provider's corrective measures in the department's inspection report.

35 **Sec. 12.** RCW 70.128.170 and 1989 c 427 s 33 are each amended to  
36 read as follows:

1 Nothing in this chapter or the rules adopted under it may be  
2 construed as authorizing the supervision, regulation, or control of the  
3 remedial care or treatment of residents in any adult family home  
4 conducted by and for the adherents of a church or religious  
5 denomination who rely upon spiritual means alone through prayer for  
6 healing in accordance with the tenets and practices of such church or  
7 religious denomination and the bona fide religious beliefs genuinely  
8 held by such adherents.

9 NEW SECTION. **Sec. 13.** A new section is added to chapter 70.128  
10 RCW to read as follows:

11 The legislature recognizes that adult care homes located within the  
12 boundaries of a federally recognized Indian reservation may be licensed  
13 by the Indian tribe. The department may pay for care for persons  
14 residing in such homes, if there has been a tribal or state criminal  
15 background check of the provider and any staff, and the client is  
16 otherwise eligible for services administered by the department.

17 **Sec. 14.** RCW 70.128.130 and 1989 c 427 s 26 are each amended to  
18 read as follows:

19 (1) Providers must own, rent, or lease the home to be licensed.  
20 Exceptions may be granted by the department to churches, hospitals,  
21 nonprofit associations, or similar organizations.

22 (2) Adult (~~(family)~~) care homes shall be maintained internally and  
23 externally in good repair and condition. Such homes shall have safe  
24 and functioning systems for heating, cooling, hot and cold water,  
25 electricity, plumbing, garbage disposal, sewage, cooking, laundry,  
26 artificial and natural light, ventilation, and any other feature of the  
27 home.

28 (~~(+2)~~) (3) Adult (~~(family)~~) care homes shall be maintained in a  
29 clean and sanitary manner, including proper sewage disposal, food  
30 handling, and hygiene practices.

31 (~~(+3)~~) (4) Adult (~~(family)~~) care homes shall develop a fire drill  
32 plan for emergency evacuation of residents, shall have smoke detectors  
33 in each bedroom where a resident is located, shall have fire  
34 extinguishers on each floor of the home, and shall not keep  
35 nonambulatory patients above the first floor of the home.

36 (~~(+4)~~) (5) Adult (~~(family)~~) care homes shall have clean,  
37 functioning, and safe household items and furnishings.



1       (~~(5)~~) (6) Adult ((family)) care homes shall provide a nutritious  
2 and balanced diet and shall recognize residents' needs for special  
3 diets.

4       (~~(6)~~) (7) Adult care home providers shall ensure that all  
5 residents receive care consistent with the resident's plan of care.

6       (8) Adult ((family)) care homes shall establish health care  
7 procedures for the care of residents including medication  
8 administration and emergency medical care.

9       (a) Adult family home residents shall be permitted to self-  
10 administer medications.

11       (b) Adult family home providers may administer medications and  
12 deliver special care only to the extent (~~that the provider is a~~  
13 ~~licensed health care professional for whom the administration of~~  
14 ~~medications is within the scope of practice under Washington))~~  
15 authorized by law.

16       (9) A provider will ensure that any volunteer, student, employee,  
17 or person residing within the adult family home who will have  
18 unsupervised access to any resident shall not have been convicted of a  
19 crime listed under RCW 43.43.830 or 43.43.842. Except that a person  
20 may be conditionally employed pending the completion of a criminal  
21 conviction background inquiry.

22       (10) A provider shall offer activities to residents under care as  
23 defined by the department in rule.

24       (11) An adult family home provider shall ensure that staff are  
25 competent and receive necessary training to perform assigned tasks.

26       **Sec. 15.** RCW 70.128.140 and 1989 c 427 s 27 are each amended to  
27 read as follows:

28       Each adult family home shall meet applicable local licensing,  
29 zoning, building, and housing codes, and state and local fire safety  
30 regulations as they pertain to a single-family residence. It is the  
31 responsibility of the home to check with local authorities to ensure  
32 all local codes are met.

33       **Sec. 16.** RCW 70.128.150 and 1989 c 427 s 28 are each amended to  
34 read as follows:

35       Whenever possible adult family homes are encouraged to contact and  
36 work with local quality assurance projects such as the volunteer

1 ombudsman with the goal of assuring high quality care is provided in  
2 the home.

3 An adult family home may not willfully interfere with a  
4 representative of the long-term care ombudsman program in the  
5 performance of official duties. The department shall impose a penalty  
6 of not more than one thousand dollars for any such willful  
7 interference.

8 **Sec. 17.** RCW 70.128.160 and 1989 c 427 s 31 are each amended to  
9 read as follows:

10 (1) The department is authorized to take one or more of the actions  
11 listed in subsection (2) of this section in any case in which the  
12 department finds that an adult family home provider has:

13 (a) Failed or refused to comply with the requirements of this  
14 chapter or the rules adopted under this chapter;

15 (b) Operated an adult family home without a license or under a  
16 revoked license;

17 (c) Knowingly or with reason to know made a false statement of  
18 material fact on his or her application for license or any data  
19 attached thereto, or in any matter under investigation by the  
20 department; or

21 (d) Willfully prevented or interfered with any inspection or  
22 investigation by the department.

23 (2) When authorized by subsection (1) of this section, the  
24 department may take one or more of the following actions:

25 (a) Refuse to issue a license;

26 (b) Impose reasonable conditions on a license, such as correction  
27 within a specified time, training, and limits on the type of clients  
28 the provider may admit or serve;

29 (c) Impose civil penalties of not more than one hundred dollars per  
30 day per violation;

31 (d) Suspend, revoke, or refuse to renew a license; or

32 ~~((e))~~ (e) Suspend admissions to the adult family home by imposing  
33 stop placement.

34 (3) When the department orders stop placement, the facility shall  
35 not admit any person until the stop placement order is terminated. The  
36 department may approve readmission of a resident to the facility from  
37 a hospital or nursing home during the stop placement. The department  
38 shall terminate the stop placement when: (a) The violations

1 necessitating the stop placement have been corrected; and (b) the  
2 provider exhibits the capacity to maintain adequate care and service.

3 (4) Chapter 34.05 RCW applies to department actions under this  
4 section, except that orders of the department imposing license  
5 suspension, stop placement, or conditions for continuation of a license  
6 are effective immediately upon notice and pending any hearing.

7 **Sec. 18.** RCW 70.128.175 and 1989 1st ex.s. c 9 s 815 are each  
8 amended to read as follows:

9 (1) Unless the context clearly requires otherwise, these  
10 definitions shall apply throughout this section and RCW 35.63.140,  
11 35A.63.149, 36.70.755, 35.22.680, 36.32.560, and 70.128.180:

12 (a) "Adult family home" means a (~~facility licensed pursuant to~~  
13 ~~chapter 70.128 RCW or the~~) regular family abode of a person or persons  
14 (~~who are~~) providing personal care, special care, room, and board to  
15 more than one but not more than six adults who are not related by blood  
16 or marriage to the person or persons providing the services.

17 (b) "Residential care facility" means a facility that cares for at  
18 least five, but not more than fifteen functionally disabled persons,  
19 that is not licensed pursuant to chapter 70.128 RCW.

20 (c) "Department" means the department of social and health  
21 services.

22 (2) An adult family home shall be considered a residential use of  
23 property for zoning purposes. Adult family homes shall be a permitted  
24 use in all areas zoned for residential or commercial purposes,  
25 including areas zoned for single family dwellings.

26 NEW SECTION. **Sec. 19.** A new section is added to chapter 70.128  
27 RCW to read as follows:

28 (1) The department shall maintain a toll-free telephone number for  
29 receiving complaints regarding adult family homes.

30 (2) An adult family home shall post in a place and manner clearly  
31 visible to residents and visitors the department's toll-free complaint  
32 telephone number.

33 (3) No adult family home shall discriminate or retaliate in any  
34 manner against a resident on the basis or for the reason that such  
35 resident or any other person made a complaint to the department or the  
36 long-term care ombudsman or cooperated with the investigation of such  
37 a complaint.

1        NEW SECTION.    **Sec. 20.**    RCW 70.128.180 and 1989 c 427 s 41 are each  
2    repealed.

3        NEW SECTION.    **Sec. 21.**    The legislature intends to protect the  
4    public's right to high quality long-term care by assuring that adult  
5    family homes are operated by competent and qualified persons.

6        NEW SECTION.    **Sec. 22.**    Unless the context clearly requires  
7    otherwise, the definitions in this section apply throughout this  
8    chapter.

9        (1) "Secretary" means the secretary of the department of health.

10       (2) "Adult family home" means a regular family abode of a person or  
11    persons who are providing personal care, room, and board to more than  
12    one but not more than four adults who are not related by blood or  
13    marriage to the person or persons providing the services. A maximum of  
14    six adults may be permitted by the department of social and health  
15    services under chapter 70.128 RCW.

16       (3) "Operator" means a provider who is licensed under chapter  
17    70.128 RCW to operate an adult family home.

18       (4) "Person" includes an individual, firm, corporation,  
19    partnership, or association.

20       NEW SECTION.    **Sec. 23.**    A person who operates an adult family home  
21    shall register the home with the secretary. Each separate location of  
22    the business of an adult family home shall have a separate  
23    registration.

24       The secretary, by rule, shall establish forms and procedures for  
25    the processing of operator registration applications, including the  
26    payment of registration fees pursuant to RCW 43.70.250. An application  
27    for an adult family home operator registration shall include at least  
28    the following information:

29       (1) The names and addresses of the operator of the adult family  
30    home; and

31       (2) If the operator is a corporation, copies of its articles of  
32    incorporation and current bylaws, together with the names and addresses  
33    of its officers and directors.

34       A registration issued by the secretary in accordance with this  
35    section shall remain effective for a period of one year from the date  
36    of its issuance unless the registration is revoked or suspended

1 pursuant to section 24 of this act, or unless the adult family home is  
2 sold or ownership or management is transferred, in which case the  
3 registration of the home shall be voided and the operator shall apply  
4 for a new registration.

5 NEW SECTION. **Sec. 24.** The uniform disciplinary act, chapter  
6 18.130 RCW, shall govern the issuance and denial of registration and  
7 the discipline of persons registered under this chapter. The secretary  
8 shall be the disciplinary authority under this chapter.

9 **Sec. 25.** RCW 18.130.040 and 1994 sp.s. c 9 s 603 and 1994 c 17 s  
10 19 are each reenacted and amended to read as follows:

11 (1) This chapter applies only to the secretary and the boards and  
12 commissions having jurisdiction in relation to the professions licensed  
13 under the chapters specified in this section. This chapter does not  
14 apply to any business or profession not licensed under the chapters  
15 specified in this section.

16 (2)(a) The secretary has authority under this chapter in relation  
17 to the following professions:

18 (i) Dispensing opticians licensed under chapter 18.34 RCW;

19 (ii) Naturopaths licensed under chapter 18.36A RCW;

20 (iii) Midwives licensed under chapter 18.50 RCW;

21 (iv) Ocularists licensed under chapter 18.55 RCW;

22 (v) Massage operators and businesses licensed under chapter 18.108  
23 RCW;

24 (vi) Dental hygienists licensed under chapter 18.29 RCW;

25 (vii) Acupuncturists certified under chapter 18.06 RCW;

26 (viii) Radiologic technologists certified and x-ray technicians  
27 registered under chapter 18.84 RCW;

28 (ix) Respiratory care practitioners certified under chapter 18.89  
29 RCW;

30 (x) Persons registered or certified under chapter 18.19 RCW;

31 (xi) Persons registered as nursing pool operators under chapter  
32 18.52C RCW;

33 (xii) Nursing assistants registered or certified under chapter  
34 18.79 RCW;

35 (xiii) Health care assistants certified under chapter 18.135 RCW;

36 (xiv) Dietitians and nutritionists certified under chapter 18.138  
37 RCW;

1 (xv) Sex offender treatment providers certified under chapter  
2 18.155 RCW; ((and))

3 (xvi) Persons licensed and certified under chapter 18.73 RCW or RCW  
4 18.71.205; and

5 (xvii) Persons registered as adult family home operators under  
6 section 23 of this act.

7 (b) The boards and commissions having authority under this chapter  
8 are as follows:

9 (i) The podiatric medical board as established in chapter 18.22  
10 RCW;

11 (ii) The chiropractic quality assurance commission as established  
12 in chapter 18.25 RCW;

13 (iii) The dental quality assurance commission as established in  
14 chapter 18.32 RCW;

15 (iv) The board on fitting and dispensing of hearing aids as  
16 established in chapter 18.35 RCW;

17 (v) The board of examiners for nursing home administrators as  
18 established in chapter 18.52 RCW;

19 (vi) The optometry board as established in chapter 18.54 RCW  
20 governing licenses issued under chapter 18.53 RCW;

21 (vii) The board of osteopathic medicine and surgery as established  
22 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and  
23 18.57A RCW;

24 (viii) The board of pharmacy as established in chapter 18.64 RCW  
25 governing licenses issued under chapters 18.64 and 18.64A RCW;

26 (ix) The medical quality assurance commission as established in  
27 chapter 18.71 RCW governing licenses and registrations issued under  
28 chapters 18.71 and 18.71A RCW;

29 (x) The board of physical therapy as established in chapter 18.74  
30 RCW;

31 (xi) The board of occupational therapy practice as established in  
32 chapter 18.59 RCW;

33 (xii) The nursing care quality assurance commission as established  
34 in chapter 18.79 RCW governing licenses issued under that chapter;

35 (xiii) The examining board of psychology and its disciplinary  
36 committee as established in chapter 18.83 RCW;

37 (xiv) The veterinary board of governors as established in chapter  
38 18.92 RCW.

1 (3) In addition to the authority to discipline license holders, the  
2 disciplining authority has the authority to grant or deny licenses  
3 based on the conditions and criteria established in this chapter and  
4 the chapters specified in subsection (2) of this section. This chapter  
5 also governs any investigation, hearing, or proceeding relating to  
6 denial of licensure or issuance of a license conditioned on the  
7 applicant's compliance with an order entered pursuant to RCW 18.130.160  
8 by the disciplining authority.

9 NEW SECTION. **Sec. 26.** Sections 21 through 24 of this act shall  
10 constitute a new chapter in Title 18 RCW.

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