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**SUBSTITUTE HOUSE BILL 2151**

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**State of Washington                      54th Legislature                      1996 Regular Session**

**By** House Committee on Health Care (originally sponsored by Representatives Dyer, Backlund, Cody and Murray; by request of Department of Health)

Read first time 01/19/96.

1            AN ACT Relating to department of health responsibility for uniform  
2 administrative procedures for credentialing health professionals;  
3 amending RCW 43.70.250, 43.70.280, 18.06.120, 18.19.070, 18.19.100,  
4 18.19.170, 18.22.120, 18.25.020, 18.25.070, 18.29.021, 18.29.071,  
5 18.30.120, 18.30.130, 18.32.110, 18.32.170, 18.32.180, 18.32.220,  
6 18.34.120, 18.35.060, 18.35.080, 18.35.090, 18.36A.130, 18.36A.140,  
7 18.50.050, 18.50.102, 18.52.110, 18.52.130, 18.52C.030, 18.53.050,  
8 18.53.070, 18.55.030, 18.55.040, 18.55.050, 18.57.035, 18.57.045,  
9 18.57.050, 18.57.080, 18.57A.020, 18.71A.040, 18.59.110, 18.64.040,  
10 18.64.043, 18.64.045, 18.64.046, 18.64.047, 18.64.140, 18.64.205,  
11 18.64.310, 18.64A.030, 18.64A.060, 18.71.080, 18.71.085, 18.71.095,  
12 18.71.205, 18.71.400, 18.71A.020, 18.71A.040, 18.74.050, 18.74.060,  
13 18.74.070, 18.79.200, 18.79.210, 18.83.060, 18.83.072, 18.83.080,  
14 18.83.082, 18.83.090, 18.83.105, 18.83.170, 18.84.100, 18.84.110,  
15 18.84.120, 18.88A.120, 18.88A.130, 18.89.110, 18.89.120, 18.89.140,  
16 18.92.140, 18.92.145, 18.108.060, 18.135.050, 18.135.055, 18.138.040,  
17 18.138.060, 18.155.040, and 18.155.080; reenacting and amending RCW  
18 18.57.130; creating a new section; and repealing RCW 18.30.110,  
19 18.32.120, 18.53.055, 18.64A.065, 18.79.220, and 18.83.100.

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

1       **Sec. 1.** RCW 43.70.250 and 1989 1st ex.s. c 9 s 319 are each  
2 amended to read as follows:

3       (~~(1)~~) It shall be the policy of the state of Washington that the  
4 cost of each professional, occupational, or business licensing program  
5 be fully borne by the members of that profession, occupation, or  
6 business. The secretary shall from time to time establish the amount  
7 of all application fees, license fees, registration fees, examination  
8 fees, permit fees, renewal fees, and any other fee associated with  
9 licensing or regulation of professions, occupations, or businesses  
10 administered by the department. In fixing said fees, the secretary  
11 shall set the fees for each program at a sufficient level to defray the  
12 costs of administering that program. All such fees shall be fixed by  
13 rule adopted by the secretary in accordance with the provisions of the  
14 administrative procedure act, chapter 34.05 RCW.

15       (~~(2) Notwithstanding subsection (1) of this section, no fee for  
16 midwives, as licensed in chapter 18.50 RCW may be increased by more  
17 than one hundred dollars or fifty percent, whichever is greater during  
18 any biennium.~~)

19       **Sec. 2.** RCW 43.70.280 and 1989 1st ex.s. c 9 s 322 are each  
20 amended to read as follows:

21       (1) The secretary, in consultation with health profession boards  
22 and commissions, shall establish by rule the administrative procedures,  
23 administrative requirements, and fees for initial issue, renewal, and  
24 reissue of a credential for professions under RCW 18.130.040, including  
25 procedures and requirements for late renewals and uniform application  
26 of late renewal penalties. Failure to renew invalidates the credential  
27 and all privileges granted by the credential. Administrative  
28 procedures and administrative requirements do not include establishing,  
29 monitoring, and enforcing qualifications for licensure, scope or  
30 standards of practice, continuing competency mechanisms, and discipline  
31 when such authority is authorized in statute to a health profession  
32 board or commission. For the purposes of this section, "in  
33 consultation with" means providing an opportunity for meaningful  
34 participation in development of rules consistent with processes set  
35 forth in RCW 34.05.310.

36       (2) Notwithstanding any provision of law to the contrary which  
37 provides for a licensing period for any type of license subject to this  
38 chapter including those under RCW 18.130.040, the secretary of health

1 may, from time to time, extend or otherwise modify the duration of any  
2 licensing, certification, or registration period, whether an initial or  
3 renewal period, if the secretary determines that it would result in a  
4 more economical or efficient operation of state government and that the  
5 public health, safety, or welfare would not be substantially adversely  
6 affected thereby. However, no license, certification, or registration  
7 may be issued or approved for a period in excess of four years, without  
8 renewal. Such extension, reduction, or other modification of a  
9 licensing, certification, or registration period shall be by rule or  
10 regulation of the department of health adopted in accordance with the  
11 provisions of chapter 34.05 RCW. Such rules and regulations may  
12 provide a method for imposing and collecting such additional  
13 proportional fee as may be required for the extended or modified  
14 period.

15 (3) Unless extended by the legislature, effective July 1, 1998, the  
16 authority of the secretary to establish administrative procedures and  
17 administrative requirements for initial issue, renewal, and reissue of  
18 a credential, including procedures and requirements for late renewals  
19 and uniform application of late renewal penalties, shall cease to apply  
20 to those health professions otherwise regulated by a board or  
21 commission with statutory rule-making authority. If not extended by  
22 the legislature, such authority shall transfer to the respective board  
23 or commission. Rules adopted by the secretary under this section shall  
24 remain in effect after July 1, 1998, until modified or repealed in  
25 accordance with the provisions of chapter 34.05 RCW.

26 **Sec. 3.** RCW 18.06.120 and 1995 c 323 s 10 are each amended to read  
27 as follows:

28 (1) Every person licensed in acupuncture shall ((register with the  
29 secretary annually and pay an annual renewal fee determined by the  
30 secretary as provided in RCW 43.70.250 on or before the license  
31 holder's birth anniversary date. The license of the person shall be  
32 renewed for a period of one year or longer in the discretion of the  
33 secretary. A person whose practice is exclusively out of state or who  
34 is on sabbatical shall be granted an inactive licensure status and pay  
35 a reduced fee. The reduced fee shall be set by the secretary under RCW  
36 43.70.250)) comply with the administrative procedures and  
37 administrative requirements for registration and renewal set by the  
38 secretary under RCW 43.70.250 and 43.70.280.

1       (2) (~~Any failure to register and pay the annual renewal fee shall~~  
2 ~~render the license invalid. The license shall be reinstated upon:~~ (a)  
3 ~~Written application to the secretary;~~ (b) ~~payment to the state of a~~  
4 ~~penalty fee determined by the secretary as provided in RCW 43.70.250;~~  
5 ~~and (c) payment to the state of all delinquent annual license renewal~~  
6 ~~fees.~~

7       (3) ~~Any person who fails to renew his or her license for a period~~  
8 ~~of three years shall not be entitled to renew the licensure under this~~  
9 ~~section. Such person, in order to obtain a licensure in acupuncture in~~  
10 ~~this state, shall file a new application under this chapter, along with~~  
11 ~~the required fee, and shall meet examination or continuing education~~  
12 ~~requirements as the secretary, by rule, provides.~~

13       (4)) All fees collected under this section and RCW 18.06.070 shall  
14 be credited to the health professions account as required under RCW  
15 43.70.320.

16       **Sec. 4.** RCW 18.19.070 and 1994 sp.s. c 9 s 501 are each amended to  
17 read as follows:

18       (1) The Washington state mental health quality assurance council is  
19 created, consisting of (~~nine~~) seven members appointed by the  
20 secretary. All appointments shall be for a term of four years. No  
21 person may serve as a member of the council for more than two  
22 consecutive full terms.

23       Voting members of the council must include one social worker  
24 certified under RCW 18.19.110, one mental health counselor certified  
25 under RCW 18.19.120, one marriage and family therapist certified under  
26 RCW 18.19.130, one counselor registered under RCW 18.19.090, one  
27 hypnotherapist registered under RCW 18.19.090, and two public members.  
28 Each member of the council must be a citizen of the United States and  
29 a resident of this state. Public members of the council may not be a  
30 member of any other health care licensing board or commission, or have  
31 a fiduciary obligation to a facility rendering health services  
32 regulated by the council, or have a material or financial interest in  
33 the rendering of health services regulated by the council.

34       The secretary may appoint the initial members of the council to  
35 staggered terms of from one to four years. Thereafter, all members  
36 shall be appointed to full four-year terms. Members of the council  
37 hold office until their successors are appointed.

1 The secretary may remove any member of the council for cause as  
2 specified by rule. In the case of a vacancy, the secretary shall  
3 appoint a person to serve for the remainder of the unexpired term.

4 (2) The council shall meet at the times and places designated by  
5 the secretary and shall hold meetings during the year as necessary to  
6 provide advice to the secretary.

7 Each member of the council shall be reimbursed for travel expenses  
8 as authorized in RCW 43.03.050 and 43.03.060. In addition, members of  
9 the council shall be compensated in accordance with RCW 43.03.240 when  
10 engaged in the authorized business of the council. The members of the  
11 council are immune from suit in an action, civil or criminal, based on  
12 their official acts performed in good faith as members of the council.

13 **Sec. 5.** RCW 18.19.100 and 1991 c 3 s 25 are each amended to read  
14 as follows:

15 The secretary shall establish ~~((by rule the procedural))~~  
16 administrative procedures, administrative requirements, and fees for  
17 renewal of registrations~~((Failure to renew shall invalidate the~~  
18 ~~registration and all privileges granted by the registration.~~  
19 ~~Subsequent registration will require application and payment of a fee~~  
20 ~~as determined by the secretary under RCW 43.70.250))~~ as provided in RCW  
21 43.70.250 and 43.70.280.

22 **Sec. 6.** RCW 18.19.170 and 1991 c 3 s 32 are each amended to read  
23 as follows:

24 A certificate issued under this chapter shall be renewed as  
25 ~~((determined by))~~ provided in RCW 43.70.250 and 43.70.280. The  
26 secretary ~~((who))~~ may establish ~~((rules governing))~~ continuing  
27 competence requirements. ~~((An additional fee may be set by the~~  
28 ~~secretary as a renewal requirement when certification has lapsed due to~~  
29 ~~failure to renew prior to the expiration date.))~~

30 **Sec. 7.** RCW 18.22.120 and 1990 c 147 s 13 are each amended to read  
31 as follows:

32 The board shall establish by rule the requirements for renewal of  
33 licenses and relicensing. ~~((The secretary shall establish a renewal and~~  
34 ~~late renewal penalty fee as provided in RCW 43.70.250, and the term for~~  
35 ~~renewal of a license under RCW 43.70.280. Failure to renew invalidates~~  
36 ~~the license and all privileges granted by it. The board shall~~

1 ~~determine by rule when a license shall be canceled for failure to renew~~  
2 ~~and shall establish prerequisites for relicensing))~~ Administrative  
3 procedures, administrative requirements, and fees shall be established  
4 as provided in RCW 43.70.250 and 43.70.280.

5 **Sec. 8.** RCW 18.25.020 and 1994 sp.s. c 9 s 109 are each amended to  
6 read as follows:

7 (1) Any person not now licensed to practice chiropractic in this  
8 state and who desires to practice chiropractic in this state, before it  
9 shall be lawful for him or her to do so, shall make application  
10 therefor to the secretary, upon such form and in such manner as may be  
11 adopted and directed by the secretary. Each applicant who matriculates  
12 to a chiropractic college after January 1, 1975, shall have completed  
13 not less than one-half of the requirements for a baccalaureate degree  
14 at an accredited and approved college or university and shall be a  
15 graduate of a chiropractic school or college accredited and approved by  
16 the commission and shall show satisfactory evidence of completion by  
17 each applicant of a resident course of study of not less than four  
18 thousand classroom hours of instruction in such school or college.  
19 Applications shall be in writing and shall be signed by the applicant  
20 in his or her own handwriting and shall be sworn to before some officer  
21 authorized to administer oaths, and shall recite the history of the  
22 applicant as to his or her educational advantages, his or her  
23 experience in matters pertaining to a knowledge of the care of the  
24 sick, how long he or she has studied chiropractic, under what teachers,  
25 what collateral branches, if any, he or she has studied, the length of  
26 time he or she has engaged in clinical practice; accompanying the same  
27 by reference therein, with any proof thereof in the shape of diplomas,  
28 certificates, and shall accompany said application with satisfactory  
29 evidence of good character and reputation.

30 (2) (~~There shall be paid to the secretary by each applicant for a~~  
31 ~~license, a fee determined by the secretary as provided in RCW 43.70.250~~  
32 ~~which shall accompany application and a fee determined by the secretary~~  
33 ~~as provided in RCW 43.70.250, which shall be paid upon issuance of~~  
34 ~~license. Like fees shall be paid for any subsequent examination and~~  
35 ~~application)) Applicants shall follow administrative procedures and  
36 administrative requirements and pay fees as provided in RCW 43.70.250  
37 and 43.70.280.~~

1       **Sec. 9.** RCW 18.25.070 and 1994 sp.s. c 9 s 114 are each amended to  
2 read as follows:

3       ~~((1))~~ Every person practicing chiropractic shall, as a  
4 prerequisite to ~~((annual))~~ renewal of license, submit to the secretary  
5 at the time of application therefor, satisfactory proof showing  
6 attendance of at least twenty-five hours per year during the preceding  
7 ~~((twelve-month))~~ credential period, at one or more chiropractic  
8 symposiums which are recognized and approved by the commission. The  
9 commission may, for good cause shown, waive said attendance. The  
10 following guidelines for such symposiums shall apply:

11       ~~((a))~~ (1) The commission shall set criteria for the course  
12 content of educational symposia concerning matters which are recognized  
13 by the state of Washington chiropractic licensing laws; it shall be the  
14 licensee's responsibility to determine whether the course content meets  
15 these criteria;

16       ~~((b))~~ (2) The commission shall adopt standards for distribution  
17 of annual continuing education credit requirements;

18       ~~((c))~~ (3) Rules shall be adopted by the commission for licensees  
19 practicing and residing outside the state who shall meet all  
20 requirements established by rule of the commission.

21       ~~((2) Every person practicing chiropractic within this state shall  
22 pay on or before his or her birth anniversary date, after a license is  
23 issued to him or her as provided in this chapter, to the secretary a  
24 renewal license fee to be determined by the secretary as provided in  
25 RCW 43.70.250. The secretary shall, thirty days or more before the  
26 birth anniversary date of each chiropractor in the state, mail to that  
27 chiropractor a notice of the fact that the renewal fee will be due on  
28 or before his or her birth anniversary date. Nothing in this chapter  
29 shall be construed so as to require that the receipts shall be recorded  
30 as original licenses are required to be recorded.~~

31       ~~The failure of any licensed chiropractor to pay his or her annual  
32 license renewal fee within thirty days of license expiration shall work  
33 a forfeiture of his or her license. It shall not be reinstated except  
34 upon evidence that continuing educational requirements have been  
35 fulfilled and the payment of a penalty to be determined by the  
36 secretary as provided in RCW 43.70.250, together with all annual  
37 license renewal fees delinquent at the time of the forfeiture, and  
38 those for each year thereafter up to the time of reinstatement. If the  
39 licensee allows his or her license to lapse for more than three years,~~

1 he or she may be reexamined as provided for in RCW 18.25.040 at the  
2 discretion of the commission.))

3 **Sec. 10.** RCW 18.29.021 and 1995 c 198 s 4 are each amended to read  
4 as follows:

5 (1) The department shall issue a license to any applicant who, as  
6 determined by the secretary:

7 (a) Has successfully completed an educational program approved by  
8 the secretary. This educational program shall include course work  
9 encompassing the subject areas within the scope of the license to  
10 practice dental hygiene in the state of Washington;

11 (b) Has successfully completed an examination administered or  
12 approved by the dental hygiene examining committee; and

13 (c) Has not engaged in unprofessional conduct or is not unable to  
14 practice with reasonable skill and safety as a result of a physical or  
15 mental impairment.

16 (2) Applications for licensure (~~shall be submitted on forms~~  
17 ~~provided by the department. The department may require any information~~  
18 ~~and documentation necessary to determine if the applicant meets the~~  
19 ~~criteria for licensure as provided in this chapter and chapter 18.130~~  
20 ~~RCW. Each applicant shall pay a fee determined by the secretary as~~  
21 ~~provided in RCW 43.70.250. The fee shall be submitted with the~~  
22 ~~application)) must comply with administrative procedures,  
23 administrative requirements, and fees established according to RCW  
24 43.70.250 and 43.70.280.~~

25 **Sec. 11.** RCW 18.29.071 and 1991 c 3 s 49 are each amended to read  
26 as follows:

27 The secretary shall establish (~~by rule~~) the administrative  
28 procedures, administrative requirements, and fees for renewal of  
29 licenses as provided in this chapter and in RCW 43.70.250 and  
30 43.70.280. (~~The secretary shall establish a renewal and late renewal~~  
31 ~~penalty fee as provided in RCW 43.70.250. Failure to renew invalidates~~  
32 ~~the license and all privileges granted by the license. The secretary~~  
33 ~~shall determine by rule whether a license shall be canceled for failure~~  
34 ~~to renew and shall establish procedures and requirements for~~  
35 ~~relicensure.))~~



1       **Sec. 12.** RCW 18.30.120 and 1995 c 1 s 13 (Initiative Measure No.  
2 607) are each amended to read as follows:

3       (1) (~~(A license issued under RCW 18.30.080 is valid for two years.~~  
4 ~~A license may be renewed by paying the renewal fee)) The licensing  
5 period, administrative procedures, administrative requirements, and  
6 fees shall be determined by the secretary as provided in RCW 43.70.250  
7 and 43.70.280.~~

8       (2) (~~(If a license issued is effective on a date other than July 1,~~  
9 ~~it shall be valid until the following June 30.~~

10       ~~(3))~~) The license shall contain, on its face, the address or  
11 addresses where the license holder will perform the denturist services.

12       **Sec. 13.** RCW 18.30.130 and 1995 c 198 s 23 are each amended to  
13 read as follows:

14       The secretary shall establish by rule the ((~~administrative~~))  
15 requirements for renewal of licenses to practice denturism, but shall  
16 not increase the licensure requirements provided in this chapter. The  
17 secretary shall establish ((~~a renewal and late renewal penalty in~~  
18 ~~accordance with RCW 43.70.250. Failure to renew shall invalidate the~~  
19 ~~license and all privileges granted by the license. The secretary shall~~  
20 ~~determine by rule whether a license shall be canceled for failure to~~  
21 ~~renew and shall establish procedures and prerequisites for~~  
22 ~~relicensure)) administrative procedures, administrative requirements,  
23 and fees for license periods and renewals as provided in RCW 43.70.250  
24 and 43.70.280.~~

25       **Sec. 14.** RCW 18.32.110 and 1991 c 3 s 63 are each amended to read  
26 as follows:

27       Each applicant shall pay a fee determined by the secretary as  
28 provided in RCW 43.70.250(~~(, which shall accompany the application))~~  
29 and 43.70.280.

30       **Sec. 15.** RCW 18.32.170 and 1991 c 3 s 66 are each amended to read  
31 as follows:

32       A fee determined by the secretary as provided in RCW 43.70.250 and  
33 43.70.280 shall be charged for every duplicate license issued by the  
34 secretary.

1       **Sec. 16.** RCW 18.32.180 and 1994 sp.s. c 9 s 216 are each amended  
2 to read as follows:

3       (~~(1)~~) Every person licensed to practice dentistry in this state  
4 shall (~~register with the secretary, and pay a renewal registration fee~~  
5 ~~determined by the secretary as provided in RCW 43.70.250. Any failure~~  
6 ~~to register and pay the renewal registration fee renders the license~~  
7 ~~invalid, and the practice of dentistry shall not be permitted. The~~  
8 ~~license shall be reinstated upon written application to the secretary~~  
9 ~~and payment to the state of a penalty fee determined by the secretary~~  
10 ~~as provided in RCW 43.70.250, together with all delinquent license~~  
11 ~~renewal fees.~~

12       (2) A person who fails to renew the license for a period of three  
13 years may not renew the license under subsection (1) of this section.  
14 In order to obtain a license to practice dentistry in this state, such  
15 a person shall file an original application as provided for in this  
16 chapter, along with the requisite fees.) renew his or her license and  
17 comply with administrative procedures, administrative requirements, and  
18 fees as provided in RCW 43.70.250 and 43.70.280. The commission, in  
19 its sole discretion, may permit the applicant to be licensed without  
20 examination, and with or without conditions, if it is satisfied that  
21 the applicant meets all the requirements for licensure in this state  
22 and is competent to engage in the practice of dentistry.

23       **Sec. 17.** RCW 18.32.220 and 1991 c 3 s 70 are each amended to read  
24 as follows:

25       Anyone who is a licensed dentist in the state of Washington who  
26 desires to change residence to another state or territory, shall, upon  
27 application to the secretary and payment of a fee as determined by the  
28 secretary under RCW 43.70.250 and 43.70.280, receive a certificate over  
29 the signature of the secretary or his or her designee, which shall  
30 attest to the facts mentioned in this section, and giving the date upon  
31 which the dentist was licensed.

32       **Sec. 18.** RCW 18.34.120 and 1991 c 3 s 79 are each amended to read  
33 as follows:

34       Each licensee hereunder shall pay (~~an annual~~) a renewal  
35 registration fee determined by the secretary as provided in RCW  
36 43.70.250(~~, on or before the first day of July of each year, and~~  
37 ~~thereupon the license of such person shall be renewed for a period of~~

1 one year. ~~Any failure to pay the annual renewal registration fee shall~~  
2 ~~render the license invalid, but such license shall be reinstated upon~~  
3 ~~written application therefor to the secretary and payment of a penalty~~  
4 ~~determined by the secretary as provided in RCW 43.70.250, together with~~  
5 ~~all delinquent annual license renewal fees. In addition,)) and~~  
6 43.70.280. The secretary may adopt rules establishing mandatory  
7 continuing education requirements to be met by persons applying for  
8 license renewal.

9 **Sec. 19.** RCW 18.35.060 and 1993 c 313 s 3 are each amended to read  
10 as follows:

11 (1) The department shall issue a trainee license to any applicant  
12 who has shown to the satisfaction of the department that the applicant:

13 (a) ~~((The applicant))~~ Is at least eighteen years of age;

14 (b) If issued a trainee license, would be employed and directly  
15 supervised in the fitting and dispensing of hearing aids by a person  
16 licensed in good standing as a fitter-dispenser for at least one year  
17 unless otherwise approved by the board; and

18 (c) Has ~~((paid an application fee))~~ complied with administrative  
19 procedures, administrative requirements, and fees determined ~~((by the~~  
20 secretary)) as provided in RCW 43.70.250~~((, to the department))~~ and  
21 43.70.280.

22 The provisions of RCW 18.35.030, 18.35.110, and 18.35.120 shall  
23 apply to any person issued a trainee license. Pursuant to the  
24 provisions of this section, a person issued a trainee license may  
25 engage in the fitting and dispensing of hearing aids without having  
26 first passed the examination provided under this chapter.

27 (2) The trainee license shall contain the name of the person  
28 licensed under this chapter who is employing and supervising the  
29 trainee and that person shall execute an acknowledgment of  
30 responsibility for all acts of the trainee in connection with the  
31 fitting and dispensing of hearing aids.

32 (3) A trainee may fit and dispense hearing aids, but only if the  
33 trainee is under the direct supervision of a person licensed under this  
34 chapter in a capacity other than as a trainee. Direct supervision by  
35 a licensed fitter-dispenser shall be required whenever the trainee is  
36 engaged in the fitting or dispensing of hearing aids during the  
37 trainee's first three months of full-time employment. The board shall

1 develop and adopt guidelines on any additional supervision or training  
2 it deems necessary.

3       (4) (~~The trainee license shall expire one year from the date of~~  
4 ~~its issuance except that on recommendation of the board the license may~~  
5 ~~be reissued for one additional year only~~) No individual may hold a  
6 trainee license for more than two years.

7       (5) No person licensed under this chapter may assume the  
8 responsibility for more than two trainees at any one time, except that  
9 the department may approve one additional trainee if none of the  
10 trainees is within the initial ninety-day period of direct supervision  
11 and the licensee demonstrates to the department's satisfaction that  
12 adequate supervision will be provided for all trainees.

13       **Sec. 20.** RCW 18.35.080 and 1991 c 3 s 83 are each amended to read  
14 as follows:

15       The department shall license each applicant(~~(, without~~  
16 ~~discrimination,)~~) who satisfactorily completes the required examination  
17 and(~~(, upon payment of a fee determined by the secretary as provided in~~  
18 ~~RCW 43.70.250 to the department, shall issue to the applicant a~~  
19 ~~license. If a person does not apply for a license within three years~~  
20 ~~of the successful completion of the license examination, reexamination~~  
21 ~~is required for licensure. The license shall be effective until the~~  
22 ~~licensee's next birthday at which time it is subject to renewal.~~  
23 ~~Subsequent renewal dates shall coincide with the licensee's birthday)~~)  
24 complies with administrative procedures and administrative requirements  
25 established pursuant to RCW 43.70.250 and 43.70.280.

26       **Sec. 21.** RCW 18.35.090 and 1991 c 3 s 84 are each amended to read  
27 as follows:

28       Each person who engages in the fitting and dispensing of hearing  
29 aids shall (~~as the department prescribes by rule, pay to the~~  
30 ~~department a fee established by the secretary under RCW 43.70.250 for~~  
31 ~~a renewal of the license)~~) comply with administrative procedures and  
32 administrative requirements established under RCW 43.70.250 and  
33 43.70.280 and shall keep the license conspicuously posted in the place  
34 of business at all times. (~~Any person who fails to renew his or her~~  
35 ~~license prior to the expiration date must pay a penalty fee in addition~~  
36 ~~to the renewal fee and satisfy the requirements that may be set forth~~  
37 ~~by rule promulgated by the secretary for reinstatement.)) The~~

1 secretary may (~~by rule~~) establish mandatory continuing education  
2 requirements and/or continued competency standards to be met by  
3 licensees as a condition for license renewal.

4 **Sec. 22.** RCW 18.36A.130 and 1991 c 3 s 98 are each amended to read  
5 as follows:

6 (~~Applications for licensure shall be submitted on forms provided  
7 by the department. The department may require any information and  
8 documentation needed to determine if the applicant meets the criteria  
9 for licensure as provided in this chapter and chapter 18.130 RCW. Each  
10 applicant shall pay a fee determined by the secretary as provided in  
11 RCW 43.70.250. The fee shall be submitted with the application~~)  
12 Applicants shall comply with administrative procedures, administrative  
13 requirements, and fees determined by the secretary as provided in RCW  
14 43.70.250 and 43.70.280.

15 **Sec. 23.** RCW 18.36A.140 and 1991 c 3 s 99 are each amended to read  
16 as follows:

17 The secretary shall establish (~~by rule~~) the administrative  
18 procedures, administrative requirements, and fees for renewal and late  
19 renewal of licenses as provided in RCW 43.70.250 and 43.70.280. (~~The  
20 secretary shall establish a renewal and late renewal penalty fee as  
21 provided in RCW 43.70.250. Failure to renew shall invalidate the  
22 license and all privileges granted by the license. The secretary shall  
23 determine by rule whether a license shall be canceled for failure to  
24 renew and shall establish procedures and prerequisites for  
25 relicensure.~~)

26 **Sec. 24.** RCW 18.50.050 and 1991 c 3 s 108 are each amended to read  
27 as follows:

28 (~~If the application is approved and the candidate shall have  
29 deposited an examination fee determined by the secretary as provided in  
30 RCW 43.70.250 with the secretary, the candidate shall be admitted to  
31 the examination, and in case of failure to pass the examination, may be  
32 reexamined at any regular examination within one year without the  
33 payment of an additional fee, said fee to be retained by the secretary  
34 after failure to pass the second examination~~) Applicants shall comply  
35 with administrative procedures, administrative requirements, and fees  
36 determined by the secretary as provided by RCW 43.70.250 and 43.70.280.

1       **Sec. 25.** RCW 18.50.102 and 1991 c 3 s 110 are each amended to read  
2 as follows:

3       Every person licensed to practice midwifery shall register with the  
4 secretary ~~((annually))~~ and pay ~~((an annual))~~ a renewal ~~((registration))~~  
5 fee determined by the secretary as provided in RCW 43.70.250 ~~((on or~~  
6 ~~before the licensee's birth anniversary date. The license of the~~  
7 ~~person shall be renewed for a period of one year. Any failure to~~  
8 ~~register and pay the annual renewal registration fee shall render the~~  
9 ~~license invalid. The license shall be reinstated upon written~~  
10 ~~application to the secretary, payment to the state of a penalty fee~~  
11 ~~determined by the secretary as provided in RCW 43.70.250, and payment~~  
12 ~~to the state of all delinquent annual license renewal fees. Any person~~  
13 ~~who fails to renew his or her license for a period of three years shall~~  
14 ~~not be entitled to renew such license under this section. Such person,~~  
15 ~~in order to obtain a license to practice midwifery in this state, shall~~  
16 ~~file a new application under this chapter, along with the required fee.~~  
17 ~~The secretary, in the secretary's discretion, may permit the applicant~~  
18 ~~to be licensed without examination if satisfied that the applicant~~  
19 ~~meets all the requirements for licensure in this state and is competent~~  
20 ~~to engage in the practice of midwifery)) and 43.70.280.~~

21       **Sec. 26.** RCW 18.52.110 and 1992 c 53 s 8 are each amended to read  
22 as follows:

23       (1) Every holder of a nursing home administrator's license shall  
24 ~~((reregister on dates specified by the secretary. Such relicensure~~  
25 ~~shall be granted upon receipt of a fee determined by the secretary as~~  
26 ~~provided in RCW 43.70.250, and upon)) renew that license by fulfilling  
27 the continuing competency requirement and by complying with  
28 administrative procedures, administrative requirements, and fees as  
29 determined according to RCW 43.70.250 and 43.70.280. ~~((In the event~~  
30 ~~that any license is not reregistered, the secretary may charge up to~~  
31 ~~double the relicensure fee. In the event that the license of an~~  
32 ~~individual is not relicensed within two years from the most recent date~~  
33 ~~for relicensure it shall lapse and such individual must again apply for~~  
34 ~~licensing and meet all requirements of this chapter for a new~~  
35 ~~applicant.)) The board may prescribe rules for maintenance of a  
36 license ~~((at a reduced fee))~~ for temporary or permanent withdrawal or  
37 retirement from the active practice of nursing home administration.~~~~

1 (2) A condition of (~~relicensure~~) renewal shall be the  
2 presentation of proof by the applicant that the board requirement for  
3 continuing competency related to the administration of nursing homes  
4 has been met.

5 **Sec. 27.** RCW 18.52.130 and 1992 c 53 s 9 are each amended to read  
6 as follows:

7 The secretary may issue a nursing home administrator's license to  
8 anyone who holds a current administrator's license from another  
9 jurisdiction upon receipt of an application (~~fee and an annual license~~  
10 ~~fee, as provided in RCW 43.70.250~~) and complying with administrative  
11 procedures, administrative requirements, and fees determined according  
12 to RCW 43.70.250 and 43.70.280, if the standards for licensing in such  
13 other jurisdiction are substantially equivalent to those prevailing in  
14 this state, and that the applicant is otherwise qualified as determined  
15 by the board.

16 **Sec. 28.** RCW 18.52C.030 and 1991 c 3 s 131 are each amended to  
17 read as follows:

18 A person who operates a nursing pool shall register the pool with  
19 the secretary. Each separate location of the business of a nursing  
20 pool shall have a separate registration.

21 The secretary(~~, by rule,~~) shall establish (~~forms and procedures~~  
22 ~~for the processing of nursing pool registration applications, including~~  
23 ~~the payment of registration fees pursuant to RCW 43.70.250.~~ An  
24 application for a nursing pool registration shall include at least the  
25 following information:

26 (1) ~~The names and addresses of the owner or owners of the nursing~~  
27 ~~pool; and~~

28 (2) ~~If the owner is a corporation, copies of its articles of~~  
29 ~~incorporation and current bylaws, together with the names and addresses~~  
30 ~~of its officers and directors.~~

31 A registration issued by the secretary in accordance with this  
32 section shall remain effective for a period of one year from the date  
33 of its issuance unless the registration is revoked or suspended  
34 pursuant to RCW 18.52C.040(4), or unless the nursing pool is sold or  
35 ownership or management is transferred, in which case the registration  
36 of the nursing pool shall be voided and the new owner or operator shall  
37 apply ~~for a new registration~~) administrative procedures,

1 administrative requirements, and fees as provided in RCW 43.70.250 and  
2 43.70.280.

3 **Sec. 29.** RCW 18.53.050 and 1991 c 3 s 134 are each amended to read  
4 as follows:

5 Every ~~((registered))~~ licensed optometrist shall ~~((annually or on~~  
6 ~~the date specified by the secretary pay to the state treasurer a~~  
7 ~~renewal fee, to be determined by the secretary as provided in RCW~~  
8 ~~43.70.250, and failure to pay such fee within the prescribed time shall~~  
9 ~~cause the suspension of his or her certificate))~~ renew his or her  
10 license by complying with administrative procedures, administrative  
11 requirements, and fees determined according to RCW 43.70.250 and  
12 43.70.280.

13 **Sec. 30.** RCW 18.53.070 and 1991 c 3 s 136 are each amended to read  
14 as follows:

15 ~~((The fees for application for examination and))~~ Administrative  
16 procedures, administrative requirements, and fees for issuing a  
17 ~~((certificate of registration))~~ license shall be determined ~~((by the~~  
18 ~~secretary))~~ as provided in RCW 43.70.250~~((, which shall be paid to the~~  
19 ~~secretary as he or she shall prescribe))~~ and 43.70.280.

20 **Sec. 31.** RCW 18.55.030 and 1991 c 3 s 143 are each amended to read  
21 as follows:

22 ~~((Upon receipt of an application for a license and the license fee~~  
23 ~~as determined by the secretary, the secretary shall issue a license if~~  
24 ~~the applicant meets the requirements established under this chapter.~~  
25 ~~The license, unless suspended or revoked, shall be renewed annually.~~  
26 ~~All licenses issued under the provisions of this chapter shall expire~~  
27 ~~on the 1st day of July))~~ The secretary shall determine administrative  
28 procedures, administrative requirements, and fees for licenses and  
29 renewals as provided in RCW 43.70.250 and 43.70.280.

30 **Sec. 32.** RCW 18.55.040 and 1991 c 180 s 4 are each amended to read  
31 as follows:

32 No applicant shall be licensed under this chapter until the  
33 applicant ~~((pays an examination fee determined by the secretary, as~~  
34 ~~provided in RCW 43.70.250, and certifies under oath after furnishing~~  
35 ~~satisfactory documentation,))~~ complies with administrative procedures,



1 administrative requirements, and fees determined by the secretary  
2 according to RCW 43.70.250 and 43.70.280. Qualifications must require  
3 that the applicant:

4 (1) Is eighteen years or more of age;

5 (2) Has graduated from high school or has received a general  
6 equivalency degree;

7 (3) Is of good moral character; and

8 (4)(a) Had at least ten thousand hours of apprenticeship training  
9 under the direct supervision of a licensed ocularist; or

10 (b) Successfully completed a prescribed course in ocularist  
11 training programs approved by the secretary; or

12 (c) Has had at least ten thousand hours of apprenticeship training  
13 under the direct supervision of a practicing ocularist, or has the  
14 equivalent experience as a practicing ocularist, or any combination of  
15 training and supervision, not in the state of Washington; and

16 (5) Successfully passes an examination conducted or approved by the  
17 secretary.

18 **Sec. 33.** RCW 18.55.050 and 1991 c 180 s 6 are each amended to read  
19 as follows:

20 Every individual licensed or registered under this chapter shall  
21 ~~((pay an annual license or registration renewal fee))~~ comply with  
22 administrative procedures, administrative requirements, and fees  
23 determined by the secretary, as provided by RCW 43.70.250~~((, on or~~  
24 ~~before the expiration date established by the secretary. An~~  
25 ~~application for renewal shall be on the form provided by the secretary~~  
26 ~~and shall be filed with the department of health not less than ten days~~  
27 ~~prior to its expiration. Each application for renewal shall be~~  
28 ~~accompanied by a renewal fee in an amount to be determined by the~~  
29 ~~secretary. Any license or registration not renewed as provided in this~~  
30 ~~section shall be invalid.~~

31 ~~The secretary may provide by rule the procedures that may allow for~~  
32 ~~the reinstatement of a license or registration upon payment of the~~  
33 ~~renewal fee and a late renewal penalty fee))~~ and 43.70.280 to renew his  
34 or her license.

35 **Sec. 34.** RCW 18.57.035 and 1991 c 160 s 9 are each amended to read  
36 as follows:

1       The board may grant approval to issue without examination a license  
2 to an osteopathic physician and surgeon in a board-approved  
3 postgraduate training program in this state if the applicant files an  
4 application and meets all the requirements for licensure set forth in  
5 RCW 18.57.020 except for completion of one year of postgraduate  
6 training. The secretary shall issue a postgraduate osteopathic  
7 medicine and surgery license that permits the physician in postgraduate  
8 training to practice osteopathic medicine and surgery only in  
9 connection with his or her duties as a physician in postgraduate  
10 training and does not authorize the physician to engage in any other  
11 form of practice. Each physician in postgraduate training shall  
12 practice osteopathic medicine and surgery only under the supervision of  
13 a physician licensed in this state under this chapter or chapter 18.71  
14 RCW, but such supervision shall not be construed to necessarily require  
15 the personal presence of the supervising physician at the place where  
16 services are rendered.

17       All persons licensed under this section shall be subject to the  
18 jurisdiction of the board of osteopathic medicine and surgery as set  
19 forth in this chapter and chapter 18.130 RCW.

20       Persons applying for licensure pursuant to this section shall (~~pay~~  
21 ~~an application and renewal fee~~) comply with administrative procedures,  
22 administrative requirements, and fees determined (~~by the secretary~~)  
23 as provided in RCW 43.70.250(~~(. Licenses issued hereunder may be~~  
24 ~~renewed annually)~~) and 43.70.280. Any person who obtains a license  
25 pursuant to this section may, apply for licensure under this chapter,  
26 but shall submit a new application form and comply with all other  
27 licensing requirements of this chapter.

28       **Sec. 35.** RCW 18.57.045 and 1991 c 160 s 4 are each amended to read  
29 as follows:

30       A licensed osteopathic physician and surgeon who desires to leave  
31 the active practice of osteopathic medicine and surgery in this state  
32 may secure from the secretary an inactive license. The (~~initial and~~  
33 ~~renewal~~) administrative procedures, administrative requirements, and  
34 fees for an inactive license shall be determined (~~by the secretary~~)  
35 as provided in RCW 43.70.250 and 43.70.280. The holder of an inactive  
36 license may reactivate his or her license to practice osteopathic  
37 medicine and surgery in accordance with rules adopted by the board.

1       **Sec. 36.** RCW 18.57.050 and 1991 c 160 s 6 are each amended to read  
2 as follows:

3       (~~Each applicant on making application shall pay the secretary a~~  
4 ~~fee determined by the secretary as provided in RCW 43.70.250.~~  
5 ~~Application fees are nonrefundable.~~) The board may establish rules  
6 and regulations governing mandatory continuing education requirements  
7 which shall be met by physicians applying for renewal of licenses.  
8 (~~The secretary shall establish a renewal and late renewal penalty fee~~  
9 ~~as provided in RCW 43.70.250. Failure to renew the license invalidates~~  
10 ~~all privileges granted by the license~~) Administrative procedures,  
11 administrative requirements, and fees for applications and renewals  
12 shall be established as provided in RCW 43.70.250 and 43.70.280. The  
13 board shall determine (~~by rule when a license shall be canceled for~~  
14 ~~failure to renew and shall establish~~) prerequisites for relicensing.

15       **Sec. 37.** RCW 18.57.080 and 1991 c 160 s 7 are each amended to read  
16 as follows:

17       Applicants for a license to practice osteopathic medicine and  
18 surgery must successfully complete an examination prepared or approved  
19 by the board. The examination shall be conducted in the English  
20 language, shall determine the applicant's fitness to practice  
21 osteopathic medicine and surgery, and may be in whole or in part in  
22 writing or by practical application on those general subjects and  
23 topics of which knowledge is commonly and generally required of  
24 applicants who have obtained the doctor of osteopathic medicine and  
25 surgery conferred by accredited schools of osteopathic medicine and  
26 surgery approved by the board. If an examination does not encompass  
27 the subject of osteopathic principles and practice, the applicant shall  
28 be required to complete the board-administered examination. The board  
29 may prepare and administer or approve preparation and administration of  
30 examinations on such subjects as the board deems advisable. The  
31 examination papers of any examination administered by the board shall  
32 form a part of the applicant's records and shall be retained as  
33 determined by the secretary for a period of not less than one year.  
34 All applicants for examination or reexamination shall (~~pay a fee~~)  
35 comply with administrative procedures, administrative requirements, and  
36 fees determined (~~by the secretary~~) as provided in RCW 43.70.250 and  
37 43.70.280.

1       **Sec. 38.** RCW 18.57.130 and 1991 c 160 s 10 and 1991 c 3 s 151 are  
2 each reenacted and amended to read as follows:

3       Any person who meets the requirements of RCW 18.57.020 as now or  
4 hereafter amended and has been examined and licensed to practice  
5 osteopathic medicine and surgery by a state board of examiners of  
6 another state or the duly constituted authorities of another state  
7 authorized to issue licenses to practice osteopathic medicine and  
8 surgery upon examination, shall upon approval of the board be entitled  
9 to receive a license to practice osteopathic medicine and surgery in  
10 this state upon ~~((the payment of))~~ complying with administrative  
11 procedures, administrative requirements, and paying a fee determined  
12 ~~((by the secretary))~~ as provided in RCW 43.70.250 ~~((to the state~~  
13 ~~treasurer))~~ and 43.70.280 and filing a copy of his or her license in  
14 such other state, duly certified by the authorities granting the  
15 license to be a full, true, and correct copy thereof, and certifying  
16 also that the standard of requirements adopted by such authorities as  
17 provided by the law of such state is substantially equal to that  
18 provided for by the provisions of this chapter: PROVIDED, That no  
19 license shall issue without examination to any person who has  
20 previously failed in an examination held in this state: PROVIDED,  
21 FURTHER, That all licenses herein mentioned may be revoked for  
22 unprofessional conduct, in the same manner and upon the same grounds as  
23 if issued under this chapter: PROVIDED, FURTHER, That no one shall be  
24 permitted to practice surgery under this chapter who has not a license  
25 to practice osteopathic medicine and surgery.

26       **Sec. 39.** RCW 18.57A.020 and 1993 c 28 s 1 are each amended to read  
27 as follows:

28       (1) The board shall adopt rules fixing the qualifications and the  
29 educational and training requirements for licensure as an osteopathic  
30 physician assistant or for those enrolled in any physician assistant  
31 training program. The requirements shall include completion of an  
32 accredited physician assistant training program approved by the board  
33 and eligibility to take an examination approved by the board, providing  
34 such examination tests subjects substantially equivalent to the  
35 curriculum of an accredited physician assistant training program.

36       (2)(a) The board shall adopt rules governing the extent to which:

37       (i) Physician assistant students may practice medicine during  
38 training; and

1 (ii) Physician assistants may practice after successful completion  
2 of a training course.

3 (b) Such rules shall provide:

4 (i) That the practice of an osteopathic physician assistant shall  
5 be limited to the performance of those services for which he or she is  
6 trained; and

7 (ii) That each osteopathic physician assistant shall practice  
8 osteopathic medicine only under the supervision and control of an  
9 osteopathic physician licensed in this state, but such supervision and  
10 control shall not be construed to necessarily require the personal  
11 presence of the supervising physicians at the place where services are  
12 rendered. The board may authorize the use of alternative supervisors  
13 who are licensed either under chapter 18.57 or 18.71 RCW.

14 (3) Applicants for licensure shall file an application with the  
15 board on a form prepared by the secretary with the approval of the  
16 board, detailing the education, training, and experience of the  
17 physician assistant and such other information as the board may  
18 require. The application shall be accompanied by a fee determined by  
19 the secretary as provided in RCW 43.70.250 and 43.70.280. Each  
20 applicant shall furnish proof satisfactory to the board of the  
21 following:

22 (a) That the applicant has completed an accredited physician  
23 assistant program approved by the board and is eligible to take the  
24 examination approved by the board;

25 (b) That the applicant is of good moral character; and

26 (c) That the applicant is physically and mentally capable of  
27 practicing osteopathic medicine as an osteopathic physician assistant  
28 with reasonable skill and safety. The board may require any applicant  
29 to submit to such examination or examinations as it deems necessary to  
30 determine an applicant's physical and/or mental capability to safely  
31 practice as an osteopathic physician assistant.

32 (4) The board may approve, deny, or take other disciplinary action  
33 upon the application for a license as provided in the uniform  
34 disciplinary act, chapter 18.130 RCW. The license shall be renewed  
35 ~~((on a periodic basis as determined by the secretary under RCW~~  
36 ~~43.70.280, upon payment of a fee determined by the secretary as~~  
37 ~~provided in RCW 43.70.250 and submission of a completed renewal~~  
38 ~~application, in addition to any late renewal penalty fees as determined~~

1 by the secretary as provided in RCW 43.70.250)) as determined under RCW  
2 43.70.250 and 43.70.280.

3 **Sec. 40.** RCW 18.71A.040 and 1994 sp.s. c 9 s 321 are each amended  
4 to read as follows:

5 (1) No physician assistant practicing in this state shall be  
6 employed or supervised by a physician or physician group without the  
7 approval of the commission.

8 (2) Prior to commencing practice, a physician assistant licensed in  
9 this state shall apply to the commission for permission to be employed  
10 or supervised by a physician or physician group. The practice  
11 arrangement plan shall be jointly submitted by the physician or  
12 physician group and physician assistant. (~~The secretary may charge a~~  
13 ~~fee as provided in RCW 43.70.250 to recover the cost for the plan~~  
14 ~~review~~) Administrative procedures, administrative requirements, and  
15 fees shall be established as provided in RCW 43.70.250 and 43.70.280.  
16 The practice arrangement plan shall delineate the manner and extent to  
17 which the physician assistant would practice and be supervised.  
18 Whenever a physician assistant is practicing in a manner inconsistent  
19 with the approved practice arrangement plan, the medical(~~disciplinary~~  
20 ~~board [commission]~~) commission may take disciplinary action under  
21 chapter 18.130 RCW.

22 **Sec. 41.** RCW 18.59.110 and 1991 c 3 s 156 are each amended to read  
23 as follows:

24 (~~The secretary shall prescribe and publish fees in amounts~~  
25 ~~determined by the secretary as provided in RCW 43.70.250 for the~~  
26 ~~following purposes:~~

- 27 ~~(1) Application for examination;~~
- 28 ~~(2) Initial license fee;~~
- 29 ~~(3) Renewal of license fee;~~
- 30 ~~(4) Late renewal fee; and~~
- 31 ~~(5) Limited permit fee.~~

32 ~~The fees shall be set in such an amount as to reimburse the state,~~  
33 ~~to the extent feasible, for the cost of the services rendered))~~  
34 Administrative procedures, administrative requirements, and fees shall  
35 be established as provided in RCW 43.70.250 and 43.70.280 for  
36 applications, initial and renewal licenses, and limited permits.

1       **Sec. 42.** RCW 18.64.040 and 1989 1st ex.s. c 9 s 413 are each  
2 amended to read as follows:

3       Every applicant for license examination under this chapter shall  
4 pay the sum determined by the secretary under RCW 43.70.250 and  
5 43.70.280 before the examination is attempted.

6       **Sec. 43.** RCW 18.64.043 and 1991 c 229 s 3 are each amended to read  
7 as follows:

8       (1) The owner of each pharmacy shall pay an original license fee to  
9 be determined by the secretary, and annually thereafter, on or before  
10 a date to be determined by the secretary, a fee to be determined by the  
11 secretary, for which he or she shall receive a license of location,  
12 which shall entitle the owner to operate such pharmacy at the location  
13 specified, or such other temporary location as the secretary may  
14 approve, for the period ending on a date to be determined by the  
15 secretary as provided in RCW 43.70.250 and 43.70.280, and each such  
16 owner shall at the time of filing proof of payment of such fee as  
17 provided in RCW 18.64.045 as now or hereafter amended, file with the  
18 department on a blank therefor provided, a declaration of ownership and  
19 location, which declaration of ownership and location so filed as  
20 aforesaid shall be deemed presumptive evidence of ownership of the  
21 pharmacy mentioned therein.

22       (2) It shall be the duty of the owner to immediately notify the  
23 department of any change of location or ownership and to keep the  
24 license of location or the renewal thereof properly exhibited in said  
25 pharmacy.

26       (3) Failure to comply with this section shall be deemed a  
27 misdemeanor, and each day that said failure continues shall be deemed  
28 a separate offense.

29       (4) In the event such license fee remains unpaid on the date due,  
30 no renewal or new license shall be issued except upon (~~payment of the~~  
31 ~~license renewal fee and a penalty fee equal to the original license~~  
32 ~~fee~~) compliance with administrative procedures, administrative  
33 requirements, and fees determined as provided in RCW 43.70.250 and  
34 43.70.280.

35       **Sec. 44.** RCW 18.64.045 and 1991 c 229 s 4 are each amended to read  
36 as follows:

1       The owner of each and every place of business which manufactures  
2 drugs shall pay a license fee to be determined by the secretary, and  
3 thereafter, on or before a date to be determined by the secretary, a  
4 fee to be determined by the secretary as provided in RCW 43.70.250 and  
5 43.70.280, for which the owner shall receive a license of location from  
6 the department, which shall entitle the owner to manufacture drugs at  
7 the location specified for the period ending on a date to be determined  
8 by the ((board)) secretary, and each such owner shall at the time of  
9 payment of such fee file with the department, on a blank therefor  
10 provided, a declaration of ownership and location, which declaration of  
11 ownership and location so filed as aforesaid shall be deemed  
12 presumptive evidence of the ownership of such place of business  
13 mentioned therein. It shall be the duty of the owner to notify  
14 immediately the department of any change of location or ownership and  
15 to keep the license of location or the renewal thereof properly  
16 exhibited in such place of business. Failure to conform with this  
17 section shall be deemed a misdemeanor, and each day that said failure  
18 continues shall be deemed a separate offense. In event such license  
19 fee remains unpaid on the date due, no renewal or new license shall be  
20 issued except upon ((payment of the license renewal fee and a penalty  
21 fee equal to the license renewal fee)) compliance with administrative  
22 procedures, administrative requirements, and fees determined as  
23 provided in RCW 43.70.250 and 43.70.280.

24       **Sec. 45.** RCW 18.64.046 and 1991 c 229 s 5 are each amended to read  
25 as follows:

26       The owner of each place of business which sells legend drugs and  
27 nonprescription drugs, or nonprescription drugs at wholesale shall pay  
28 a license fee to be determined by the secretary, and thereafter, on or  
29 before a date to be determined by the secretary as provided in RCW  
30 43.70.250 and 43.70.280, a like fee to be determined by the secretary,  
31 for which the owner shall receive a license of location from the  
32 department, which shall entitle such owner to either sell legend drugs  
33 and nonprescription drugs or nonprescription drugs at wholesale at the  
34 location specified for the period ending on a date to be determined by  
35 the ((board)) secretary, and each such owner shall at the time of  
36 payment of such fee file with the department, on a blank therefor  
37 provided, a declaration of ownership and location, which declaration of  
38 ownership and location so filed as aforesaid shall be deemed



1 presumptive evidence of the ownership of such place of business  
2 mentioned therein. It shall be the duty of the owner to notify  
3 immediately the department of any change of location and ownership and  
4 to keep the license of location or the renewal thereof properly  
5 exhibited in such place of business. Failure to conform with this  
6 section shall be deemed a misdemeanor, and each day that said failure  
7 continues shall be deemed a separate offense. In event such license  
8 fee remains unpaid on the date due, no renewal or new license shall be  
9 issued except upon (~~payment of the license renewal fee and a penalty~~  
10 ~~fee equal to the license renewal fee~~) compliance with administrative  
11 procedures, administrative requirements, and fees determined as  
12 provided in RCW 43.70.250 and 43.70.280.

13       **Sec. 46.** RCW 18.64.047 and 1991 c 229 s 6 are each amended to read  
14 as follows:

15       Any itinerant vendor or any peddler of any nonprescription drug or  
16 preparation for the treatment of disease or injury, shall pay a  
17 registration fee determined by the secretary on a date to be determined  
18 by the secretary as provided in RCW 43.70.250 and 43.70.280. The  
19 department may issue a registration to such vendor on an approved  
20 application made to the department. Any itinerant vendor or peddler  
21 who shall vend or sell, or offer to sell to the public any such  
22 nonprescription drug or preparation without having registered to do so  
23 as provided in this section, shall be guilty of a misdemeanor and each  
24 sale or offer to sell shall constitute a separate offense. In event  
25 such registration fee remains unpaid on the date due, no renewal or new  
26 registration shall be issued except upon (~~payment of the registration~~  
27 ~~renewal fee and a penalty fee equal to the renewal fee~~) compliance  
28 with administrative procedures, administrative requirements, and fees  
29 determined as provided in RCW 43.70.250 and 43.70.280. This  
30 registration shall not authorize the sale of legend drugs or controlled  
31 substances.

32       **Sec. 47.** RCW 18.64.140 and 1991 c 229 s 7 are each amended to read  
33 as follows:

34       Every licensed pharmacist who desires to practice pharmacy shall  
35 secure from the department a license, the fee for which shall be  
36 determined by the secretary under RCW 43.70.250 and 43.70.280. The  
37 administrative procedures, administrative requirements, renewal fee,

1 and late renewal fee shall also be determined (~~((by the secretary))~~)  
2 under RCW 43.70.250 and 43.70.280. (~~((The date of renewal may be~~  
3 ~~established by the secretary by regulation and the department may by~~  
4 ~~regulation extend the duration of a licensing period for the purpose of~~  
5 ~~staggering renewal periods. Such regulation may provide a method for~~  
6 ~~imposing and collecting such additional proportional fee as may be~~  
7 ~~required for the extended period.))~~) Payment of this fee shall entitle  
8 the licensee to a pharmacy law book, subsequent current mailings of all  
9 additions, changes, or deletions in the pharmacy practice act, chapter  
10 18.64 RCW, and all additions, changes, or deletions of pharmacy board  
11 and department regulations. (~~((Pharmacists shall pay the license~~  
12 ~~renewal fee and a penalty equal to the license renewal fee for the late~~  
13 ~~renewal of their license.))~~) The current license shall be conspicuously  
14 displayed to the public in the pharmacy to which it applies. Any  
15 licensed pharmacist who desires to leave the active practice of  
16 pharmacy in this state may secure from the department an inactive  
17 license. The initial license and renewal fees shall be determined by  
18 the secretary under RCW 43.70.250 and 43.70.280. The holder of an  
19 inactive license may reactivate his or her license to practice pharmacy  
20 in accordance with rules adopted by the board.

21 **Sec. 48.** RCW 18.64.205 and 1991 c 229 s 2 are each amended to read  
22 as follows:

23 The board may adopt rules pursuant to this section authorizing a  
24 retired active license status. An individual licensed pursuant to this  
25 chapter, who is practicing only in emergent or intermittent  
26 circumstances as defined by rule established by the board, may hold a  
27 retired active license at a reduced renewal fee established by the  
28 secretary under RCW 43.70.250 and 43.70.280. Such a license shall meet  
29 the continuing education requirements, if any, established by the board  
30 for renewals, and is subject to the provisions of the uniform  
31 disciplinary act, chapter 18.130 RCW. Individuals who have entered  
32 into retired status agreements with the disciplinary authority in any  
33 jurisdiction shall not qualify for a retired active license under this  
34 section.

35 **Sec. 49.** RCW 18.64.310 and 1989 1st ex.s. c 9 s 410 are each  
36 amended to read as follows:

37 The department shall:

1 (1) Establish reasonable license and examination fees and fees for  
2 services to other agencies in accordance with RCW 43.70.250 and  
3 43.70.280. In cases where there are unanticipated demands for  
4 services, the department may request payment for services directly from  
5 the agencies for whom the services are performed, to the extent that  
6 revenues or other funds are available. Drug-related investigations  
7 regarding licensed health care practitioners shall be funded by an  
8 appropriation to the department from the health professions account.  
9 The payment may be made on either an advance or a reimbursable basis  
10 as approved by the director of financial management;

11 (2) Employ, with confirmation by the board, an executive officer,  
12 who shall be exempt from the provisions of chapter 41.06 RCW and who  
13 shall be a pharmacist licensed in Washington, and employ inspectors,  
14 investigators, chemists, and other persons as necessary to assist it  
15 for any purpose which it may deem necessary;

16 (3) Investigate and prosecute, at the direction of the board,  
17 including use of subpoena powers, violations of law or regulations  
18 under its jurisdiction or the jurisdiction of the board of pharmacy;

19 (4) Make, at the direction of the board, inspections and  
20 investigations of pharmacies and other places, including dispensing  
21 machines, in which drugs or devices are stored, held, compounded,  
22 dispensed, sold, or administered to the ultimate consumer, to take and  
23 analyze any drugs or devices and to seize and condemn any drugs or  
24 devices which are adulterated, misbranded, stored, held, dispensed,  
25 distributed, administered, or compounded in violation of or contrary to  
26 law. The written operating agreement between the department and the  
27 board, as required by RCW 43.70.240 shall include provisions for the  
28 department to involve the board in carrying out its duties required by  
29 this section.

30 **Sec. 50.** RCW 18.64A.030 and 1989 1st ex.s. c 9 s 423 are each  
31 amended to read as follows:

32 The board shall adopt, in accordance with chapter 34.05 RCW, rules  
33 and regulations governing the extent to which pharmacy assistants may  
34 perform services associated with the practice of pharmacy during  
35 training and after successful completion of a training course. Such  
36 regulations shall provide for the certification of pharmacy assistants  
37 by the department at a fee determined by the secretary under RCW

1 43.70.250 and 43.70.280 according to the following levels of  
2 classification:

3 (1) "Level A pharmacy assistants" may assist in performing, under  
4 the immediate supervision and control of a licensed pharmacist,  
5 manipulative, nondiscretionary functions associated with the practice  
6 of pharmacy.

7 (2) "Level B pharmacy assistants" may perform, under the general  
8 supervision of a licensed pharmacist, duties including but not limited  
9 to, typing of prescription labels, filing, refiling, bookkeeping,  
10 pricing, stocking, delivery, nonprofessional phone inquiries, and  
11 documentation of third party reimbursements.

12 **Sec. 51.** RCW 18.64A.060 and 1989 1st ex.s. c 9 s 425 are each  
13 amended to read as follows:

14 No pharmacy licensed in this state shall utilize the services of  
15 pharmacy assistants without approval of the board.

16 Any pharmacy licensed in this state may apply to the board for  
17 permission to use the services of pharmacy assistants. The application  
18 shall be accompanied by a ~~((uniform))~~ fee ~~((to be determined by the  
19 secretary))~~ and shall comply with administrative procedures and  
20 administrative requirements set pursuant to RCW 43.70.250 and  
21 43.70.280, shall detail the manner and extent to which the pharmacy  
22 assistants would be used and supervised, and shall provide other  
23 information in such form as the secretary may require.

24 The board may approve or reject such applications. In addition,  
25 the board may modify the proposed utilization of pharmacy assistants  
26 and approve the application as modified. ~~((No such approval shall  
27 extend for more than one year, but approval once granted may be renewed  
28 annually upon payment of a uniform fee as determined by the  
29 secretary.))~~ Whenever it appears to the board that a pharmacy  
30 assistant is being utilized in a manner inconsistent with the approval  
31 granted, the board may withdraw such approval. In the event a hearing  
32 is requested upon the rejection of an application, or upon the  
33 withdrawal of approval, a hearing shall be conducted in accordance with  
34 chapter 18.64 RCW, as now or hereafter amended, and appeal may be taken  
35 in accordance with the Administrative Procedure Act, chapter 34.05 RCW.

36 **Sec. 52.** RCW 18.71.080 and 1994 sp.s. c 9 s 312 are each amended  
37 to read as follows:

1 Every person licensed to practice medicine in this state shall  
2 (~~register with the secretary of health annually, and pay an annual~~  
3 ~~renewal registration fee determined by the secretary as provided in RCW~~  
4 ~~43.70.250~~) pay licensing fees and renew his or her license in  
5 accordance with administrative procedures and administrative  
6 requirements adopted as provided in RCW 43.70.250 and 43.70.280. The  
7 commission may establish rules governing mandatory continuing education  
8 requirements which shall be met by physicians applying for renewal of  
9 licenses. The rules shall provide that mandatory continuing education  
10 requirements may be met in part by physicians showing evidence of the  
11 completion of approved activities relating to professional liability  
12 risk management. (~~Any failure to register and pay the annual renewal~~  
13 ~~registration fee shall render the license invalid, but such license~~  
14 ~~shall be reinstated upon written application therefor to the secretary,~~  
15 ~~and payment to the state of a penalty fee determined by the secretary~~  
16 ~~as provided in RCW 43.70.250, together with all delinquent annual~~  
17 ~~license renewal fees: PROVIDED, HOWEVER, That any person who fails to~~  
18 ~~renew the license for a period of three years, shall in no event be~~  
19 ~~entitled to renew the license under this section. Such a person in~~  
20 ~~order to obtain a license to practice medicine in this state, shall~~  
21 ~~file an original application as provided for in this chapter, along~~  
22 ~~with the requisite fee therefor.)) The commission, in its sole  
23 discretion, may permit ((such)) an applicant who has not renewed his or  
24 her license to be licensed without examination if it is satisfied that  
25 such applicant meets all the requirements for licensure in this state,  
26 and is competent to engage in the practice of medicine.~~

27 **Sec. 53.** RCW 18.71.085 and 1994 sp.s. c 9 s 313 are each amended  
28 to read as follows:

29 The commission may adopt rules pursuant to this section authorizing  
30 an inactive license status.

31 (1) An individual licensed pursuant to chapter 18.71 RCW may place  
32 his or her license on inactive status. The holder of an inactive  
33 license shall not practice medicine and surgery in this state without  
34 first activating the license.

35 (2) The administrative procedures, administrative requirements, and  
36 fee for inactive renewal ((fee)) shall be established (~~by the~~  
37 ~~secretary~~) pursuant to RCW 43.70.250 and 43.70.280. (~~Failure to~~

1 ~~renew an inactive license shall result in cancellation in the same~~  
2 ~~manner as an active license.))~~

3 (3) An inactive license may be placed in an active status upon  
4 compliance with rules established by the commission.

5 (4) Provisions relating to disciplinary action against a person  
6 with a license shall be applicable to a person with an inactive  
7 license, except that when disciplinary proceedings against a person  
8 with an inactive license have been initiated, the license shall remain  
9 inactive until the proceedings have been completed.

10 **Sec. 54.** RCW 18.71.095 and 1994 sp.s. c 9 s 315 are each amended  
11 to read as follows:

12 The commission may, without examination, issue a limited license to  
13 persons who possess the qualifications set forth herein:

14 (1) The commission may, upon the written request of the secretary  
15 of the department of social and health services or the secretary of  
16 corrections, issue a limited license to practice medicine in this state  
17 to persons who have been accepted for employment by the department of  
18 social and health services or the department of corrections as  
19 physicians; who are licensed to practice medicine in another state of  
20 the United States or in the country of Canada or any province or  
21 territory thereof; and who meet all of the qualifications for licensure  
22 set forth in RCW 18.71.050.

23 Such license shall permit the holder thereof to practice medicine  
24 only in connection with patients, residents, or inmates of the state  
25 institutions under the control and supervision of the secretary of the  
26 department of social and health services or the department of  
27 corrections.

28 (2) The commission may issue a limited license to practice medicine  
29 in this state to persons who have been accepted for employment by a  
30 county or city health department as physicians; who are licensed to  
31 practice medicine in another state of the United States or in the  
32 country of Canada or any province or territory thereof; and who meet  
33 all of the qualifications for licensure set forth in RCW 18.71.050.

34 Such license shall permit the holder thereof to practice medicine  
35 only in connection with his or her duties in employment with the city  
36 or county health department.

37 (3) Upon receipt of a completed application showing that the  
38 applicant meets all of the requirements for licensure set forth in RCW

1 18.71.050 except for completion of two years of postgraduate medical  
2 training, and that the applicant has been appointed as a resident  
3 physician in a program of postgraduate clinical training in this state  
4 approved by the commission, the commission may issue a limited license  
5 to a resident physician. Such license shall permit the resident  
6 physician to practice medicine only in connection with his or her  
7 duties as a resident physician and shall not authorize the physician to  
8 engage in any other form of practice. Each resident physician shall  
9 practice medicine only under the supervision and control of a physician  
10 licensed in this state, but such supervision and control shall not be  
11 construed to necessarily require the personal presence of the  
12 supervising physician at the place where services are rendered.

13 (4)(a) Upon nomination by the dean of the school of medicine at the  
14 University of Washington or the chief executive officer of a hospital  
15 or other appropriate health care facility licensed in the state of  
16 Washington, the commission may issue a limited license to a physician  
17 applicant invited to serve as a teaching-research member of the  
18 institution's instructional staff if the sponsoring institution and the  
19 applicant give evidence that he or she has graduated from a recognized  
20 medical school and has been licensed or otherwise privileged to  
21 practice medicine at his or her location of origin. Such license shall  
22 permit the recipient to practice medicine only within the confines of  
23 the instructional program specified in the application and shall  
24 terminate whenever the holder ceases to be involved in that program, or  
25 at the end of one year, whichever is earlier. Upon request of the  
26 applicant and the institutional authority, the license may be renewed  
27 for no more than a total of two years.

28 (b) Upon nomination by the dean of the school of medicine of the  
29 University of Washington or the chief executive officer of any hospital  
30 or appropriate health care facility licensed in the state of  
31 Washington, the commission may issue a limited license to an applicant  
32 selected by the sponsoring institution to be enrolled in one of its  
33 designated departmental or divisional fellowship programs provided that  
34 the applicant shall have graduated from a recognized medical school and  
35 has been granted a license or other appropriate certificate to practice  
36 medicine in the location of the applicant's origin. Such license shall  
37 permit the holder only to practice medicine within the confines of the  
38 fellowship program to which he or she has been appointed and, upon the

1 request of the applicant and the sponsoring institution, the license  
2 may be renewed by the commission for no more than a total of two years.

3 All persons licensed under this section shall be subject to the  
4 jurisdiction of the commission to the same extent as other members of  
5 the medical profession, in accordance with this chapter and chapter  
6 18.130 RCW.

7 Persons applying for licensure and renewing licenses pursuant to  
8 this section shall ~~((pay an application fee))~~ comply with  
9 administrative procedures, administrative requirements, and fees  
10 determined ((by the secretary)) as provided in RCW 43.70.250 ~~((and, in~~  
11 ~~the event the license applied for is issued, a license fee at the rate~~  
12 ~~provided for renewals of licenses generally. Licenses issued hereunder~~  
13 ~~may be renewed annually pursuant to the provisions of RCW 18.71.080))~~  
14 and 43.70.280. Any person who obtains a limited license pursuant to  
15 this section may~~((, without an additional application fee,))~~ apply for  
16 licensure under this chapter, but shall submit a new application form  
17 and comply with all other licensing requirements of this chapter.

18 **Sec. 55.** RCW 18.71.205 and 1995 c 65 s 3 are each amended to read  
19 as follows:

20 (1) The secretary of the department of health, in conjunction with  
21 the advice and assistance of the emergency medical services licensing  
22 and certification advisory committee as prescribed in RCW 18.73.050,  
23 and the commission, shall prescribe:

24 (a) Practice parameters, training standards for, and levels of,  
25 physician trained emergency medical service intermediate life support  
26 technicians and paramedics;

27 (b) Minimum standards and performance requirements for the  
28 certification and recertification of physician's trained emergency  
29 medical service intermediate life support technicians and paramedics;  
30 and

31 (c) Procedures for certification, recertification, and  
32 decertification of physician's trained emergency medical service  
33 intermediate life support technicians and paramedics.

34 (2) Initial certification shall be for a period ~~((of three years))~~  
35 established by the secretary pursuant to RCW 43.70.250 and 43.70.280.

36 (3) Recertification shall be granted upon proof of continuing  
37 satisfactory performance and education, and shall be for a period ~~((of~~



1 ~~three years~~) established by the secretary pursuant to RCW 43.70.250  
2 and 43.70.280.

3 (4) As used in chapters 18.71 and 18.73 RCW, "approved medical  
4 program director" means a person who:

5 (a) Is licensed to practice medicine and surgery pursuant to  
6 chapter 18.71 RCW or osteopathy and surgery pursuant to chapter 18.57  
7 RCW; and

8 (b) Is qualified and knowledgeable in the administration and  
9 management of emergency care and services; and

10 (c) Is so certified by the department of health for a county, group  
11 of counties, or cities with populations over four hundred thousand in  
12 coordination with the recommendations of the local medical community  
13 and local emergency medical services and trauma care council.

14 (5) The Uniform Disciplinary Act, chapter 18.130 RCW, governs  
15 uncertified practice, the issuance and denial of certificates, and the  
16 disciplining of certificate holders under this section. The secretary  
17 shall be the disciplining authority under this section. Disciplinary  
18 action shall be initiated against a person credentialed under this  
19 chapter in a manner consistent with the responsibilities and duties of  
20 the medical program director under whom such person is responsible.

21 (6) Such activities of (~~physician[s]~~) physician's trained  
22 emergency medical service intermediate life support technicians and  
23 paramedics shall be limited to actions taken under the express written  
24 or oral order of medical program directors and shall not be construed  
25 at any time to include free standing or nondirected actions, for  
26 actions not presenting an emergency or life-threatening condition.

27 **Sec. 56.** RCW 18.71.400 and 1993 c 367 s 18 are each amended to  
28 read as follows:

29 There is hereby levied to be collected by the department of health  
30 from every physician and surgeon licensed pursuant to chapter 18.71 RCW  
31 and every physician assistant licensed pursuant to chapter 18.71A RCW  
32 (~~an annual~~) a medical disciplinary assessment equal to the license  
33 renewal fee established by the secretary under RCW 43.70.250 and  
34 43.70.280. The assessment levied pursuant to this section is in  
35 addition to any license renewal fee (~~established under RCW~~  
36 ~~43.70.250~~)).

1       **Sec. 57.** RCW 18.71A.020 and 1994 sp.s. c 9 s 319 are each amended  
2 to read as follows:

3       (1) The commission shall adopt rules fixing the qualifications and  
4 the educational and training requirements for licensure as a physician  
5 assistant or for those enrolled in any physician assistant training  
6 program. The requirements shall include completion of an accredited  
7 physician assistant training program approved by the commission and  
8 eligibility to take an examination approved by the commission, if the  
9 examination tests subjects substantially equivalent to the curriculum  
10 of an accredited physician assistant training program. Physician  
11 assistants licensed by the board of medical examiners as of June 7,  
12 1990, shall continue to be licensed.

13       (2)(a) The commission shall adopt rules governing the extent to  
14 which:

15       (i) Physician assistant students may practice medicine during  
16 training; and

17       (ii) Physician assistants may practice after successful completion  
18 of a physician assistant training course.

19       (b) Such rules shall provide:

20       (i) That the practice of a physician assistant shall be limited to  
21 the performance of those services for which he or she is trained; and

22       (ii) That each physician assistant shall practice medicine only  
23 under the supervision and control of a physician licensed in this  
24 state, but such supervision and control shall not be construed to  
25 necessarily require the personal presence of the supervising physician  
26 or physicians at the place where services are rendered.

27       (3) Applicants for licensure shall file an application with the  
28 commission on a form prepared by the secretary with the approval of the  
29 commission, detailing the education, training, and experience of the  
30 physician assistant and such other information as the commission may  
31 require. The application shall be accompanied by a fee determined by  
32 the secretary as provided in RCW 43.70.250 and 43.70.280. Each  
33 applicant shall furnish proof satisfactory to the commission of the  
34 following:

35       (a) That the applicant has completed an accredited physician  
36 assistant program approved by the commission and is eligible to take  
37 the examination approved by the commission;

38       (b) That the applicant is of good moral character; and

1 (c) That the applicant is physically and mentally capable of  
2 practicing medicine as a physician assistant with reasonable skill and  
3 safety. The commission may require an applicant to submit to such  
4 examination or examinations as it deems necessary to determine an  
5 applicant's physical or mental capability, or both, to safely practice  
6 as a physician assistant.

7 (4) The commission may approve, deny, or take other disciplinary  
8 action upon the application for license as provided in the Uniform  
9 Disciplinary Act, chapter 18.130 RCW. The license shall be renewed  
10 ~~((on a periodic basis as determined by the secretary under RCW~~  
11 ~~43.70.280, upon payment of a fee determined by the secretary as~~  
12 ~~provided in RCW 43.70.250, and submission of a completed renewal~~  
13 ~~application, in addition to any late renewal penalty fees as determined~~  
14 ~~by the secretary as provided in RCW 43.70.250)) as determined under RCW~~  
15 43.70.250 and 43.70.280. The commission may authorize the use of  
16 alternative supervisors who are licensed either under chapter 18.57 or  
17 18.71 RCW.

18 **Sec. 58.** RCW 18.71A.040 and 1994 sp.s. c 9 s 321 are each amended  
19 to read as follows:

20 (1) No physician assistant practicing in this state shall be  
21 employed or supervised by a physician or physician group without the  
22 approval of the commission.

23 (2) Prior to commencing practice, a physician assistant licensed in  
24 this state shall apply to the commission for permission to be employed  
25 or supervised by a physician or physician group. The practice  
26 arrangement plan shall be jointly submitted by the physician or  
27 physician group and physician assistant. ~~((The secretary may charge a~~  
28 ~~fee as provided in RCW 43.70.250 to recover the cost for the plan~~  
29 ~~review)) Administrative procedures, administrative requirements, and~~  
30 fees shall be established as provided in RCW 43.70.250 and 43.70.280.  
31 The practice arrangement plan shall delineate the manner and extent to  
32 which the physician assistant would practice and be supervised.  
33 Whenever a physician assistant is practicing in a manner inconsistent  
34 with the approved practice arrangement plan, the ~~((medical disciplinary~~  
35 ~~board [commission]) commission~~) may take disciplinary action under  
36 chapter 18.130 RCW.

1       **Sec. 59.** RCW 18.74.050 and 1991 c 3 s 178 are each amended to read  
2 as follows:

3       The secretary shall furnish a license upon the authority of the  
4 board to any person who applies and who has qualified under the  
5 provisions of this chapter. At the time of applying, the applicant  
6 shall (~~pay to the state treasurer a fee determined by the secretary as~~  
7 ~~provided in RCW 43.70.250~~) comply with administrative procedures,  
8 administrative requirements, and fees established pursuant to RCW  
9 43.70.250 and 43.70.280. No person registered or licensed on July 24,  
10 1983, as a physical therapist shall be required to pay an additional  
11 fee for a license under this chapter.

12       **Sec. 60.** RCW 18.74.060 and 1991 c 3 s 179 are each amended to read  
13 as follows:

14       Upon the recommendation of the board, the secretary shall license  
15 as a physical therapist and shall furnish a license to any person who  
16 is a physical therapist registered or licensed under the laws of  
17 another state or territory, or the District of Columbia, if the  
18 qualifications for such registration or license required of the  
19 applicant were substantially equal to the requirements under this  
20 chapter. At the time of making application, the applicant shall (~~pay~~  
21 ~~to the state treasurer a fee determined by the secretary as provided in~~  
22 ~~RCW 43.70.250~~) comply with administrative procedures, administrative  
23 requirements, and fees established pursuant to RCW 43.70.250 and  
24 43.70.280.

25       **Sec. 61.** RCW 18.74.070 and 1991 c 3 s 180 are each amended to read  
26 as follows:

27       Every licensed physical therapist shall apply to the secretary for  
28 a renewal of the license and pay to the state treasurer a fee  
29 determined by the secretary as provided in RCW 43.70.250 and 43.70.280.  
30 (~~The license of a physical therapist who fails to renew the license~~  
31 ~~within thirty days of the date set by the secretary for renewal shall~~  
32 ~~automatically lapse. Within three years from the date of lapse and~~  
33 ~~upon the recommendation of the board, the secretary may revive a lapsed~~  
34 ~~license upon the payment of all past unpaid renewal fees and a penalty~~  
35 ~~fee to be determined by the secretary. The board may require~~  
36 ~~reexamination of an applicant whose license has lapsed for more than~~  
37 ~~three years and who has not continuously engaged in lawful practice in~~

1 ~~another state or territory, or waive reexamination in favor of evidence~~  
2 ~~of continuing education satisfactory to the board.))~~

3 **Sec. 62.** RCW 18.79.200 and 1994 sp.s. c 9 s 420 are each amended  
4 to read as follows:

5 An applicant for a license to practice as a registered nurse,  
6 advanced registered nurse practitioner, or licensed practical nurse  
7 shall comply with administrative procedures, administrative  
8 requirements, and ((pay a fee)) fees as determined ((by the secretary))  
9 under RCW 43.70.250 ~~((to the state treasurer))~~ and 43.70.280.

10 **Sec. 63.** RCW 18.79.210 and 1994 sp.s. c 9 s 421 are each amended  
11 to read as follows:

12 A license issued under this chapter ~~((, whether in an active or~~  
13 ~~inactive status,))~~ must be renewed, except as provided in this chapter.  
14 The licensee shall ~~((send the renewal form to the department with a~~  
15 ~~renewal fee,))~~ comply with administrative procedures, administrative  
16 requirements, and fees as determined ((by the secretary)) under RCW  
17 43.70.250 ~~((, before the expiration date. Upon receipt of the renewal~~  
18 ~~form and the appropriate fee, the department shall issue the licensee~~  
19 ~~a license, which declares the holder to be a legal practitioner of~~  
20 ~~registered nursing, advanced registered nursing practice, or licensed~~  
21 ~~practical nursing, as appropriate, in either active or inactive status,~~  
22 ~~for the period of time stated on the license))~~ and 43.70.280.

23 **Sec. 64.** RCW 18.83.060 and 1991 c 3 s 197 are each amended to read  
24 as follows:

25 ~~((Each applicant for a license shall file with the secretary an~~  
26 ~~application duly verified, in such form and setting forth such~~  
27 ~~information as the board shall prescribe. An application fee~~  
28 ~~determined by the secretary as provided in RCW 43.70.250 shall~~  
29 ~~accompany each application))~~ Administrative procedures, administrative  
30 requirements, and fees for applications and examinations shall be  
31 established as provided in RCW 43.70.250 and 43.70.280.

32 **Sec. 65.** RCW 18.83.072 and 1995 c 198 s 12 are each amended to  
33 read as follows:

1 (1) Examination of applicants shall be held in Olympia, Washington,  
2 or at such other place as designated by the secretary, at least  
3 annually at such times as the board may determine.

4 (2) Any applicant shall have the right to discuss with the board  
5 his or her performance on the examination.

6 (3) Any applicant who fails to make a passing grade on the  
7 examination may be allowed to retake the examination. Any applicant  
8 who fails the examination a second time must obtain special permission  
9 from the board to take the examination again.

10 ~~(4) ((The reexamination fee shall be the same as the application~~  
11 ~~fee set forth in RCW 18.83.060.~~

12 ~~(5))~~ The board may approve an examination prepared or administered  
13 by a private testing agency or association of licensing authorities.

14 **Sec. 66.** RCW 18.83.080 and 1991 c 3 s 199 are each amended to read  
15 as follows:

16 ~~((Upon forwarding to the secretary by))~~ The board ~~((of))~~ shall  
17 forward to the secretary the name of each applicant entitled to a  
18 license under this chapter~~((7))~~. The secretary shall promptly issue to  
19 such applicant a license authorizing such applicant to use the title  
20 "psychologist" ~~((for a period of one year. Said license shall be in~~  
21 ~~such form as the secretary shall determine))~~. Each licensed  
22 psychologist shall keep his or her license displayed in a conspicuous  
23 place in his or her principal place of business.

24 **Sec. 67.** RCW 18.83.082 and 1984 c 279 s 82 are each amended to  
25 read as follows:

26 ~~((1) A valid receipt for an initial application for license~~  
27 ~~hereunder, provided the applicant meets the requirements of RCW~~  
28 ~~18.83.070 (1), (2), and (3), shall constitute a temporary permit to~~  
29 ~~practice psychology until the board completes action on the~~  
30 ~~application. The board must complete action within one year of the~~  
31 ~~date such receipt is issued.~~

32 ~~(2))~~ A person, not licensed in this state, who wishes to perform  
33 practices under the provisions of this chapter for a period not to  
34 exceed ninety days within a calendar year, must petition the board for  
35 a temporary permit to perform such practices. If the person is  
36 licensed or certified in another state deemed by the board to have

1 standards equivalent to this chapter, a permit may be issued. No fee  
2 shall be charged for such temporary permit.

3 **Sec. 68.** RCW 18.83.090 and 1991 c 3 s 200 are each amended to read  
4 as follows:

5 The board shall establish rules governing mandatory continuing  
6 education requirements which shall be met by any psychologist applying  
7 for a license renewal. (~~Each licensed psychologist shall pay to the~~  
8 ~~health professions account, created in RCW 43.70.320, annually, at such~~  
9 ~~time as determined by the board, an annual license renewal fee~~  
10 ~~determined by the secretary under RCW 43.70.250. Upon receipt of the~~  
11 ~~fee, the secretary shall issue a certificate of renewal in such form as~~  
12 ~~the secretary shall determine)) Administrative procedures,  
13 administrative requirements, and fees for renewal and reissue of  
14 licenses shall be established as provided in RCW 43.70.250 and  
15 43.70.280.~~

16 **Sec. 69.** RCW 18.83.105 and 1991 c 3 s 201 are each amended to read  
17 as follows:

18 The board may issue certificates of qualification with appropriate  
19 title to applicants who meet all the licensing requirements except the  
20 possession of the degree of Doctor of Philosophy or its equivalent in  
21 psychology from an accredited educational institution. These  
22 certificates of qualification certify that the holder has been examined  
23 by the board and is deemed competent to perform certain functions  
24 within the practice of psychology under the periodic direct supervision  
25 of a psychologist licensed by the board. Such functions will be  
26 specified on the certificate issued by the board. Such applicant shall  
27 (~~pay to the board of examiners a fee determined by the secretary as~~  
28 ~~provided in RCW 43.70.250 for certification in a single area of~~  
29 ~~qualification and a fee for amendment of the certificate to include~~  
30 ~~each additional area of qualification)) comply with administrative  
31 procedures, administrative requirements, and fees determined under RCW  
32 43.70.250 and 43.70.280. Upon petition by a holder the board of  
33 examiners may grant authority to function without immediate  
34 supervision.~~

35 **Sec. 70.** RCW 18.83.170 and 1991 c 3 s 202 are each amended to read  
36 as follows:

1        Upon (~~application accompanied by a fee determined by the secretary~~  
2 ~~as provided in RCW 43.70.250~~) compliance with administrative  
3 procedures, administrative requirements, and fees determined under RCW  
4 43.70.250 and 43.70.280, the board may grant a license, without written  
5 examination, to any applicant who has not previously failed any  
6 examination held by the board of psychology of the state of Washington  
7 and furnishes evidence satisfactory to the board that the applicant:  
8        (1) Holds a doctoral degree with primary emphasis on psychology  
9 from an accredited college or university; and  
10        (2) Is licensed or certified to practice psychology in another  
11 state or country in which the requirements for such licensing or  
12 certification are, in the judgment of the board, essentially equivalent  
13 to those required by this chapter and the rules and regulations of the  
14 board. Such individuals must have been licensed or certified in  
15 another state for a period of at least two years; or  
16        (3) Is a diplomate in good standing of the American Board of  
17 Examiners in Professional Psychology.

18        **Sec. 71.** RCW 18.84.100 and 1991 c 3 s 211 are each amended to read  
19 as follows:

20        Applications for certification must be submitted on forms provided  
21 by the secretary. The secretary may require any information and  
22 documentation that reasonably relates to the determination of whether  
23 the applicant meets the requirements for certification provided for in  
24 this chapter and chapter 18.130 RCW. Each applicant shall (~~pay a~~  
25 ~~fee~~) comply with administrative procedures, administrative  
26 requirements, and fees determined by the secretary as provided in RCW  
27 43.70.250 (~~which shall accompany the application~~) and 43.70.280.

28        **Sec. 72.** RCW 18.84.110 and 1994 sp.s. c 9 s 509 are each amended  
29 to read as follows:

30        The secretary shall establish (~~by rule~~) the administrative  
31 procedures, administrative requirements, and fees for renewal of  
32 certificates as provided in RCW 43.70.250 and 43.70.280. (~~Failure to~~  
33 ~~renew invalidates the certificate and all privileges granted by the~~  
34 ~~certificate. In the event a certificate has lapsed for a period longer~~  
35 ~~than three years, the certificant shall demonstrate competence to the~~  
36 ~~satisfaction of the secretary by continuing education or under the~~  
37 ~~other standards determined by the secretary.))~~



1       **Sec. 73.** RCW 18.84.120 and 1991 c 222 s 4 are each amended to read  
2 as follows:

3       The secretary may issue a registration to an applicant who submits,  
4 on forms provided by the department, the applicant's name, the address,  
5 occupational title, name and location of business where applicant  
6 performs his or her services, and other information as determined by  
7 the secretary, including information necessary to determine whether  
8 there are grounds for denial of registration under this chapter or  
9 chapter 18.130 RCW. Each applicant shall pay a fee as determined by  
10 the secretary as provided in RCW 43.70.250 and 43.70.280. The  
11 secretary shall establish (~~by rule~~) the (~~procedural~~) administrative  
12 procedures, administrative requirements, and fees for registration and  
13 for renewal of registrations as provided in RCW 43.70.250 and  
14 43.70.280.

15       **Sec. 74.** RCW 18.88A.120 and 1991 c 16 s 14 are each amended to  
16 read as follows:

17       Applications for registration and certification shall be submitted  
18 on forms provided by the secretary. The secretary may require any  
19 information and documentation that reasonably relates to the need to  
20 determine whether the applicant meets the criteria for registration and  
21 certification credentialing provided for in this chapter and chapter  
22 (~~18.120~~) 18.130 RCW. Each applicant shall (~~pay a fee determined by~~  
23 ~~the secretary under RCW 43.70.250. The fee shall accompany the~~  
24 ~~application~~) comply with administrative procedures, administrative  
25 requirements, and fees determined by the secretary under RCW 43.70.250  
26 and 43.70.280.

27       **Sec. 75.** RCW 18.88A.130 and 1994 sp.s. c 9 s 715 are each amended  
28 to read as follows:

29       (~~The secretary shall establish by rule the procedural requirements~~  
30 ~~and fees for renewal of a registration or certificate. Failure to~~  
31 ~~renew shall invalidate the credential and all privileges granted by the~~  
32 ~~credential. If a certificate has lapsed for a period longer than three~~  
33 ~~years, the person shall demonstrate competence to the satisfaction of~~  
34 ~~the commission by taking continuing education courses, or meeting other~~  
35 ~~standards determined by the commission~~) Registrations and  
36 certifications shall be renewed according to administrative procedures,

1 administrative requirements, and fees determined by the secretary under  
2 RCW 43.70.250 and 43.70.280.

3 **Sec. 76.** RCW 18.89.110 and 1991 c 3 s 234 are each amended to read  
4 as follows:

5 (1) The date and location of the examination shall be established  
6 by the secretary. Applicants who have been found by the secretary to  
7 meet the other requirements for certification shall be scheduled for  
8 the next examination following the filing of the application. However,  
9 the applicant shall not be scheduled for any examination taking place  
10 sooner than sixty days after the application is filed.

11 (2) The secretary shall examine each applicant, by means determined  
12 most effective, on subjects appropriate to the scope of practice. Such  
13 examinations shall be limited to the purpose of determining whether the  
14 applicant possesses the minimum skill and knowledge necessary to  
15 practice competently, and shall meet generally accepted standards of  
16 fairness and validity for certification examinations.

17 (3) All examinations shall be conducted by the secretary, and all  
18 grading of the examinations shall be under fair and wholly impartial  
19 methods.

20 (4) Any applicant who fails to make the required grade in the first  
21 examination is entitled to take up to three subsequent examinations,  
22 upon ~~((the prepayment of a fee determined by the secretary as provided~~  
23 ~~in RCW 43.70.250 for each subsequent examination. Upon failure of four~~  
24 ~~examinations, the secretary may invalidate the original application))~~  
25 compliance with administrative procedures, administrative requirements,  
26 and fees determined by the secretary under RCW 43.70.250 and 43.70.280  
27 and ~~((require))~~ such remedial education as is deemed necessary.

28 (5) The secretary may approve an examination prepared and  
29 administered by a private testing agency or association of  
30 credentialing boards for use by an applicant in meeting the  
31 certification requirement.

32 **Sec. 77.** RCW 18.89.120 and 1991 c 3 s 235 are each amended to read  
33 as follows:

34 Applications for certification shall be submitted on forms provided  
35 by the secretary. The secretary may require any information and  
36 documentation which reasonably relates to the need to determine whether  
37 the applicant meets the criteria for certification provided in this

1 chapter and chapter 18.130 RCW. All (~~applications~~) applicants shall  
2 (~~be accompanied by a fee~~) comply with administrative procedures,  
3 administrative requirements, and fees determined by the secretary under  
4 RCW 43.70.250 and 43.70.280.

5 **Sec. 78.** RCW 18.89.140 and 1991 c 3 s 237 are each amended to read  
6 as follows:

7 (~~The secretary shall establish by rule the requirements and fees~~  
8 ~~for renewal of certificates. Failure to renew shall invalidate the~~  
9 ~~certificate and all privileges granted by the certificate. In the~~  
10 ~~event a certificate has lapsed for a period longer than three years,~~  
11 ~~the certified respiratory care practitioner shall demonstrate~~  
12 ~~competence to the satisfaction of the secretary by continuing education~~  
13 ~~or under the other standards determined by the secretary)) Certificates  
14 shall be renewed according to administrative procedures, administrative  
15 requirements , and fees determined by the secretary under RCW 43.70.250  
16 and 43.70.280.~~

17 **Sec. 79.** RCW 18.92.140 and 1993 c 78 s 6 are each amended to read  
18 as follows:

19 Each person now qualified to practice veterinary medicine, surgery,  
20 and dentistry, registered as an animal technician, or registered as a  
21 veterinary medication clerk in this state or who becomes licensed or  
22 registered to engage in practice shall (~~register with the secretary of~~  
23 ~~health annually or on the date prescribed by the secretary and pay the~~  
24 ~~renewal registration fee set by the secretary as provided in RCW~~  
25 ~~43.70.250. A person who fails to renew a license or certificate before~~  
26 ~~its expiration is subject to a late renewal fee equal to one third of~~  
27 ~~the regular renewal fee set by the secretary)) comply with  
28 administrative procedures, administrative requirements, and fees  
29 determined as provided in RCW 43.70.250 and 43.70.280.~~

30 **Sec. 80.** RCW 18.92.145 and 1993 c 78 s 7 are each amended to read  
31 as follows:

32 (~~The secretary shall determine the~~) Administrative procedures,  
33 administrative requirements, and fees(~~(  )~~) shall be established as  
34 provided in RCW 43.70.250(~~(  )~~) and 43.70.280 for the issuance, renewal,  
35 or administration of the following licenses, certificates of  
36 registration, permits, duplicate licenses, renewals, or examination:

- 1 (1) For a license to practice veterinary medicine, surgery, and  
2 dentistry issued upon an examination given by the examining board;
- 3 (2) For a license to practice veterinary medicine, surgery, and  
4 dentistry issued upon the basis of a license issued in another state;
- 5 (3) For a certificate of registration as an animal technician;
- 6 (4) For a certificate of registration as a veterinary medication  
7 clerk;
- 8 (5) For a temporary permit to practice veterinary medicine,  
9 surgery, and dentistry. The temporary permit fee shall be accompanied  
10 by the full amount of the examination fee; and
- 11 (6) For a license to practice specialized veterinary medicine.

12 **Sec. 81.** RCW 18.108.060 and 1991 c 3 s 256 are each amended to  
13 read as follows:

14 ~~((All licenses issued under the provisions of this chapter, unless  
15 otherwise provided shall expire on the annual anniversary date of the  
16 individual's date of birth.~~

17 ~~The secretary shall prorate the licensing fee for massage  
18 practitioner based on one twelfth of the annual license fee for each  
19 full calendar month between the issue date and the next anniversary of  
20 the applicant's birth date, a date used as the expiration date of such  
21 license.~~

22 ~~Every applicant for a license shall pay an examination fee  
23 determined by the secretary as provided in RCW 43.70.250, which fee  
24 shall accompany their application. Applications for licensure shall be  
25 submitted on forms provided by the secretary.~~

26 ~~Applicants granted a license under this chapter shall pay to the  
27 secretary a license fee determined by the secretary as provided in RCW  
28 43.70.250, prior to the issuance of their license, and an annual  
29 renewal fee determined by the secretary as provided in RCW 43.70.250.  
30 Failure to renew shall invalidate the license and all privileges  
31 granted to the licensee, but such license may be reinstated upon  
32 written application to the secretary and payment to the state of all  
33 delinquent fees and penalties as determined by the secretary. In the  
34 event a license has lapsed for a period longer than three years, the  
35 licensee shall demonstrate competence to the satisfaction of the  
36 secretary by proof of continuing education or other standard determined  
37 by the secretary with the advice of the board)) Each applicant and  
38 license holder shall comply with administrative procedures,~~

1 administrative requirements, and fees set by the secretary under RCW  
2 43.70.250 and 43.70.280.

3 **Sec. 82.** RCW 18.135.050 and 1991 c 3 s 274 are each amended to  
4 read as follows:

5 (1) Any health care facility may certify a health care assistant to  
6 perform the functions authorized in this chapter in that health care  
7 facility; and any health care practitioner may certify a health care  
8 assistant capable of performing such services in any health care  
9 facility, or in his or her office, under a health care practitioner's  
10 supervision. Before certifying the health care assistant, the health  
11 care facility or health care practitioner shall verify that the health  
12 care assistant has met the minimum requirements established by the  
13 secretary under this chapter. These requirements shall not prevent the  
14 certifying entity from imposing such additional standards as the  
15 certifying entity considers appropriate. The health care facility or  
16 health care practitioner shall provide the licensing authority with a  
17 certified roster of health care assistants who are certified.

18 (2) Certification and recertification of a health care assistant  
19 shall be effective for a period (~~of two years. Recertification is~~  
20 ~~required at the end of this period~~) determined by the secretary under  
21 RCW 43.70.250 and 43.70.280. Requirements for recertification shall be  
22 (~~established by rule~~) determined by the secretary under RCW 43.70.250  
23 and 43.70.280.

24 **Sec. 83.** RCW 18.135.055 and 1991 c 3 s 275 are each amended to  
25 read as follows:

26 The health care facility or health care practitioner registering an  
27 initial or continuing certification pursuant to the provisions of this  
28 chapter shall (~~pay a~~) comply with administrative procedures,  
29 administrative requirements, and fees determined by the secretary as  
30 provided in RCW 43.70.250 and 43.70.280.

31 All fees collected under this section shall be credited to the  
32 health professions account as required in RCW 43.70.320.

33 **Sec. 84.** RCW 18.138.040 and 1991 c 3 s 281 are each amended to  
34 read as follows:

1 (1) If the applicant meets the qualifications as outlined in RCW  
2 18.138.030(2), the secretary shall confer on such candidates the title  
3 certified dietitian.

4 (2) If the applicant meets the qualifications as outlined in RCW  
5 18.138.030(4), the secretary shall confer on such candidates the title  
6 certified nutritionist.

7 (3) ~~((The application fee in an amount determined by the secretary  
8 shall accompany the application))~~ Applicants for certification as a  
9 certified dietitian or certified nutritionist shall comply with  
10 administrative procedures, administrative requirements, and fees  
11 determined by the secretary under RCW 43.70.250 and 43.70.280.

12 **Sec. 85.** RCW 18.138.060 and 1991 c 3 s 283 are each amended to  
13 read as follows:

14 (1) Every person certified as a certified dietitian or certified  
15 nutritionist shall ~~((pay a renewal registration fee determined by the  
16 secretary as provided in RCW 43.70.250. The certificate of the person  
17 shall be renewed for a period of one year or longer at the discretion  
18 of the secretary))~~ renew the certification according to administrative  
19 procedures, administrative requirements, and fees determined by the  
20 secretary as provided in RCW 43.70.250 and 43.70.280.

21 (2) ~~((Any failure to register and pay the annual renewal  
22 registration fee shall render the certificate invalid. The certificate  
23 shall be reinstated upon: (a) Written application to the secretary;  
24 (b) payment to the state of a penalty fee determined by the secretary;  
25 and (c) payment to the state of all delinquent annual certificate  
26 renewal fees.~~

27 (3) ~~Any person who fails to renew his or her certification for a  
28 period of three years shall not be entitled to renew such certification  
29 under this section. Such person, in order to obtain a certification as  
30 a certified dietitian or certified nutritionist in this state, shall  
31 file a new application under this chapter, along with the required fee,  
32 and shall meet all requirements as the secretary provides.~~

33 (4)) All fees collected under this section shall be credited to  
34 the health professions account as required.

35 **Sec. 86.** RCW 18.155.040 and 1990 c 3 s 804 are each amended to  
36 read as follows:

1 In addition to any other authority provided by law, the secretary  
2 shall have the following authority:

3 (1) To set ~~((all))~~ administrative procedures, administrative  
4 requirements, and fees ~~((required in this chapter))~~ in accordance with  
5 RCW 43.70.250 and 43.70.280;

6 (2) To establish forms necessary to administer this chapter;

7 (3) To issue a certificate to any applicant who has met the  
8 education, training, and examination requirements for certification and  
9 deny a certificate to applicants who do not meet the minimum  
10 qualifications for certification. Proceedings concerning the denial of  
11 certificates based on unprofessional conduct or impaired practice shall  
12 be governed by the uniform disciplinary act, chapter 18.130 RCW;

13 (4) To hire clerical, administrative, and investigative staff as  
14 needed to implement and administer this chapter and to hire individuals  
15 including those certified under this chapter to serve as examiners or  
16 consultants as necessary to implement and administer this chapter;

17 (5) To maintain the official department record of all applicants  
18 and certifications;

19 (6) To conduct a hearing on an appeal of a denial of a certificate  
20 on the applicant's failure to meet the minimum qualifications for  
21 certification. The hearing shall be conducted pursuant to chapter  
22 34.05 RCW;

23 (7) To issue subpoenas, statements of charges, statements of intent  
24 to deny certificates, and orders and to delegate in writing to a  
25 designee the authority to issue subpoenas, statements of charges, and  
26 statements of intent to deny certificates;

27 (8) To determine the minimum education, work experience, and  
28 training requirements for certification, including but not limited to  
29 approval of educational programs;

30 (9) To prepare and administer or approve the preparation and  
31 administration of examinations for certification;

32 (10) To establish by rule the procedure for appeal of an  
33 examination failure;

34 (11) To adopt rules implementing a continuing competency program;

35 (12) To adopt rules in accordance with chapter 34.05 RCW as  
36 necessary to implement this chapter.

37 **Sec. 87.** RCW 18.155.080 and 1990 c 3 s 808 are each amended to  
38 read as follows:

1       The secretary shall establish (~~by rule~~) standards and procedures  
2 for approval of the following:

3       (1) Educational programs and alternate training;

4       (2) Examination procedures;

5       (3) Certifying applicants who have a comparable certification in  
6 another jurisdiction;

7       (4) Application method and forms;

8       (5) Requirements for renewals of certificates;

9       (6) Requirements of certified sex offender treatment providers who  
10 seek inactive status;

11       (7) Other rules, policies, administrative procedures, and  
12 administrative requirements as appropriate to carry out the purposes of  
13 this chapter.

14       NEW SECTION. Sec. 88. The following acts or parts of acts are  
15 each repealed:

16       (1) RCW 18.30.110 and 1995 c 198 s 22 & 1995 c 1 s 12 (Initiative  
17 Measure No. 607);

18       (2) RCW 18.32.120 and 1994 sp.s. c 9 s 214, 1991 c 3 s 64, 1989 c  
19 202 s 20, 1985 c 7 s 24, 1975 1st ex.s. c 30 s 28, 1969 c 49 s 2, 1957  
20 c 52 s 30, & 1953 c 93 s 5;

21       (3) RCW 18.53.055 and 1955 c 275 s 2;

22       (4) RCW 18.64A.065 and 1991 c 229 s 10;

23       (5) RCW 18.79.220 and 1994 sp.s. c 9 s 422; and

24       (6) RCW 18.83.100 and 1994 c 35 s 3, 1986 c 27 s 5, 1965 c 70 s 10,  
25 & 1955 c 305 s 10.

26       NEW SECTION. Sec. 89. By December 31, 1997, the secretary shall  
27 report to the appropriate standing committees of the legislature on the  
28 implementation of this act and, after consulting with board and  
29 commission members and representatives of health professional  
30 associations, shall make recommendations about the extent authority to  
31 establish administrative procedures and administrative requirements  
32 should continue to be vested with the secretary.

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