

HOUSE BILL REPORT

SSB 5715

As Passed House-Amended:

April 10, 1997

Title: An act relating to orthotic and prosthetic services.

Brief Description: Licensing orthotists and prosthetists.

Sponsors: Senate Committee on Health & Long-Term Care (originally sponsored by Senators Wood, Fairley, Franklin, Deccio and Winsley).

Brief History:

Committee Activity:

Health Care: 3/28/97, 4/4/97 [DPA];

Appropriations: 4/5/97 [DPA(HC)].

Floor Activity:

Passed House-Amended: 4/10/97, 92-6.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: Do pass as amended. Signed by 10 members: Representatives Dyer, Chairman; Backlund, Vice Chairman; Skinner, Vice Chairman; Cody, Ranking Minority Member; Murray, Assistant Ranking Minority Member; Anderson; Conway; Parlette; Wood and Zellinsky.

Minority Report: Do not pass. Signed by 1 member: Representative Sherstad.

Staff: John Welsh (786-7133).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass as amended by Committee on Health Care. Signed by 28 members: Representatives Huff, Chairman; Alexander, Vice Chairman; Clements, Vice Chairman; Wensman, Vice Chairman; H. Sommers, Ranking Minority Member; Doumit, Assistant Ranking Minority Member; Gombosky, Assistant Ranking Minority Member; Carlson; Chopp; Cody; Cooke; Crouse; Dyer; Grant; Keiser; Kenney; Kessler; Lambert; Linville; Lisk; McMorris; Parlette; Regala; D. Schmidt; Sehlin; Sheahan; Talcott and Tokuda.

Minority Report: Without recommendation. Signed by 3 members: Representatives Benson; Mastin and Poulsen.

Staff: Beth Redfield (786-7130).

Background: Orthotists design, fabricate, and fit braces and other supportive devices for patients who have injuries or diseases which interfere with normal body functions. Prosthetists make and fit artificial limbs for patients who have lost their own due to injury or disease.

Currently, there is no state regulation of these professions. There are an estimated 94 privately certified orthotists and prosthetists in the state, 44 of whom are members of the Washington Orthotic and Prosthetic Association, and 87 are certified by the American Board for Certification in Orthotics and Prosthetics. These private certifications require minimum training, approved competency testing and an approved amount of continuing education.

Orthotic and prosthetic practitioners are primarily self-employed or employed in small private practices. Orthotic and prosthetic devices are prescribed by a referring authorized health care practitioner, although there is currently no legal requirement for a prescription.

A legislative sunrise review was requested on a proposal to license orthotists and prosthetists. The Department of Health recommended licensure. The Board of Health recommended certification. Both reports cited the need for regulating this profession to protect the public.

Summary of Bill: Orthotists and prosthetists are regulated at the level of licensure. These practitioners may only provide services using a new orthoses or prostheses under a prescriptive order from an authorized health care practitioner. These practitioners are defined and a scope of practice is specified.

The Secretary of Health has the authority to adopt rules, determine minimum education requirements, evaluate education programs, set fees, and implement rules continuing competency requirements.

The Secretary of Health is also given authority to appoint an advisory committee composed of five members: two practitioners regulated under this act, one physician, and two public members.

Requirements for application for licensure are defined. They include a baccalaureate degree with appropriate course work, other formal training, a clinical internship and passing an examination. However, the secretary may waive some of the examination,

educational, and experience requirements, and recognize training and standards which are substantially equivalent .

Persons practicing full time for five of the last six years may be licensed without examination if applying within one year from the effective date of the act.

Orthotists and prosthetists licensed under this act are regulated under the Uniform Disciplinary Act.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed. However, sections 1 through 5, and 8 through 12 take effect on December 1, 1998.

Testimony For: (Health Care) The sunrise reports of the Department of Health and Board of Health found that regulation was necessary to protect the public and to establish standards for the profession. Abuses in the practices should be addressed.

(Appropriations) None.

Testimony Against: (Health Care) The profession should be regulated at the certification level. Licensure will not add any more protections for the consumer.

(Appropriations) None.

Testified: (Health Care) Senator Wood, prime sponsor (pro); Brian Williams, Jan Thompson, and Bernard Hewey, WOPA (pro); Jeannie Gorman (pro); Win Granlund (pro); Sylvia Kauffman, Washington Occupational Therapy Association (pro); Mert Obert (pro); Steve Boruchowitz, Department of Health; and Don Fedder and Jim Boyer, BOC (con);

(Appropriations) None.