

CERTIFICATION OF ENROLLMENT
SUBSTITUTE SENATE BILL 5913

Chapter 558, Laws of 2009
(partial veto)

61st Legislature
2009 Regular Session

UNIVERSITY OF WASHINGTON--HEALTH SCIENCES LIBRARY

EFFECTIVE DATE: 07/26/09

Passed by the Senate April 25, 2009
YEAS 48 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 8, 2009
YEAS 98 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved May 19, 2009, 10:57 a.m., with
the exception of Section 1 which is
vetoed.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of
the Senate of the State of
Washington, do hereby certify that
the attached is **SUBSTITUTE SENATE
BILL 5913** as passed by the Senate
and the House of Representatives
on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

May 20, 2009

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5913

AS AMENDED BY THE HOUSE

Passed Legislature - 2009 Regular Session

State of Washington 61st Legislature 2009 Regular Session

By Senate Health & Long-Term Care (originally sponsored by Senators Pflug, Keiser, and Shin)

READ FIRST TIME 02/25/09.

1 AN ACT Relating to online access to the University of Washington
2 health sciences library by certain health care providers; and amending
3 RCW 43.70.110 and 43.70.112.

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

5 **Sec. 1. RCW 43.70.110 and 2007 c 259 s 11 are each amended to read*
6 *as follows:*

7 *(1) The secretary shall charge fees to the licensee for obtaining*
8 *a license. After June 30, 1995, municipal corporations providing*
9 *emergency medical care and transportation services pursuant to chapter*
10 *18.73 RCW shall be exempt from such fees, provided that such other*
11 *emergency services shall only be charged for their pro rata share of*
12 *the cost of licensure and inspection, if appropriate. The secretary*
13 *may waive the fees when, in the discretion of the secretary, the fees*
14 *would not be in the best interest of public health and safety, or when*
15 *the fees would be to the financial disadvantage of the state.*

16 *(2) Except as provided in subsection (3) of this section, fees*
17 *charged shall be based on, but shall not exceed, the cost to the*
18 *department for the licensure of the activity or class of activities and*
19 *may include costs of necessary inspection.*

1 (3) License fees shall include amounts in addition to the cost of
2 licensure activities in the following circumstances:

3 (a) For registered nurses and licensed practical nurses licensed
4 under chapter 18.79 RCW, support of a central nursing resource center
5 as provided in RCW 18.79.202, until June 30, 2013;

6 (b) For all health care providers licensed under RCW 18.130.040,
7 the cost of regulatory activities for retired volunteer medical worker
8 licensees as provided in RCW 18.130.360; and

9 (c)(i) For physicians licensed under chapter 18.71 RCW, physician
10 assistants licensed under chapter 18.71A RCW, osteopathic physicians
11 licensed under chapter 18.57 RCW, osteopathic physicians' assistants
12 licensed under chapter 18.57A RCW, naturopaths licensed under chapter
13 18.36A RCW, podiatrists licensed under chapter 18.22 RCW, chiropractors
14 licensed under chapter 18.25 RCW, psychologists licensed under chapter
15 18.83 RCW, registered nurses licensed under chapter 18.79 RCW,
16 optometrists licensed under chapter 18.53 RCW, mental health counselors
17 licensed under chapter 18.225 RCW, massage therapists licensed under
18 chapter 18.108 RCW, clinical social workers licensed under chapter
19 18.225 RCW, and acupuncturists licensed under chapter 18.06 RCW, the
20 license fees shall include up to an additional twenty-five dollars to
21 be transferred by the department to the University of Washington for
22 the purposes of RCW 43.70.112. However, each person subject to this
23 subsection (3)(c) is required to pay only one surcharge of up to
24 twenty-five dollars annually for the purposes of RCW 43.70.112,
25 regardless of how many professional licenses he or she holds. Each
26 year, by December 1st, the department shall provide an annual
27 accounting of the use of the surcharge paid under this subsection,
28 including the amounts paid by each of the professions subject to the
29 surcharge. The accounting must be transmitted by electronic mail to
30 the members of the health care committees of the legislature.

31 (ii) Annually, beginning within one year after the program begins,
32 the department shall convene a user advisory group to review the online
33 access program under RCW 43.70.112 and make recommendations for
34 improving the program. The work group must include a licensed
35 professional from each of the categories of professionals paying the
36 surcharge under (c)(i) of this subsection, a department representative,
37 and a representative from the University of Washington.

1 (4) Department of health advisory committees may review fees
2 established by the secretary for licenses and comment upon the
3 appropriateness of the level of such fees.

*Sec. 1 was vetoed. See message at end of chapter.

4 **Sec. 2.** RCW 43.70.112 and 2007 c 259 s 12 are each amended to read
5 as follows:

6 Within the amounts transferred from the department of health under
7 RCW 43.70.110(3), the University of Washington shall, through the
8 health sciences library, provide online access to selected vital
9 clinical resources, medical journals, decision support tools, and
10 evidence-based reviews of procedures, drugs, and devices to the health
11 professionals listed in RCW 43.70.110(3)(c). Online access shall be
12 available no later than January 1, 2009. Each year, by December 1st,
13 the University of Washington shall provide an annual accounting of the
14 use of the funds transferred, including which categories of health
15 professionals are using the materials available under the program. The
16 accounting must be transmitted by electronic mail to the members of the
17 health care committees of the legislature.

Passed by the Senate April 25, 2009.

Passed by the House April 8, 2009.

Approved by the Governor May 19, 2009, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State May 20, 2009.

Note: Governor's explanation of partial veto is as follows:

"I have approved, except for Section 1, Substitute Senate Bill 5913
entitled:

"AN ACT Relating to online access to the University of Washington
health sciences library by certain health care providers; and amending
RCW 43.70.110 and 43.70.112."

I fully support the intent of this legislation, including its
clarification that the existing surcharge to health care
professionals should be assessed only once per year, regardless of the
number of licenses a professional holds. Unfortunately, Section 1 also
requires the Department of Health (Department) to create an ongoing,
annual advisory group. Establishing new advisory groups in statute is
contrary to our recent efforts to reduce the number of boards,
commissions and advisory groups across all of state government. There
are other, more efficient ways to keep interested parties informed and
engaged on emerging issues.

Given the importance of this to many, I ask that Department pursue all
available options to address the surcharge issue administratively. I
also recommend that Department convene stakeholders to solicit
feedback about the program and provide recommendations.

For these reasons, I have vetoed Section 1 of Substitute Senate Bill
5913.

With the exception of Section 1, Substitute Senate Bill 5913 is approved."