

WAC 246-919-520 Revocation of a physician's license. A physician may request a review by the commission of its decision to revoke the physician's license under RCW 18.71.019:

(1) If the commission issues a final order revoking a physician's license following an adjudicative proceeding, the physician may request a review of the decision by a review panel of the commission.

(2) The physician shall file a written request with the commission within twenty days of the effective date of the final order. The physician may not request an extension of the twenty-day period to file a request for review.

(3) The physician's request for review of the final order does not change the effective date of the final order.

(4) A review panel shall review the final order. The review panel is composed of the members of the commission who did not:

(a) Review the initial investigation and make the decision to issue a statement of charges against the physician in this matter; or

(b) Hear the evidence at the adjudicative proceeding and issue the final order revoking the physician's license.

(5) Within seven days of receipt of the request for review of the final order, a scheduling order is issued setting a date for the review hearing, and a date for the filing of written argument by the parties. The review hearing must take place within sixty days of the physician's request for review of the final order.

(6) The review panel shall convene in person for the review hearing on the date set in the scheduling order. If a commission member is unavailable to meet on the scheduled date, a pro tempore member shall take that person's place on the review panel. At the review hearing, the review panel:

(a) Shall review the final order;

(b) Shall review written argument presented by the parties; and

(c) May hear oral argument by the parties.

(7) If the review panel determines that revocation of the physician's license is not the appropriate sanction, it shall issue an amended order setting the appropriate sanction(s) necessary to protect the public.

(8) If the review panel determines that revocation of the physician's license is appropriate, it shall issue an order confirming that decision.

[Statutory Authority: RCW 18.71.017 and 18.130.050. WSR 20-22-003, § 246-919-520, filed 10/21/20, effective 11/21/20. Statutory Authority: RCW 18.71.019. WSR 97-21-053, § 246-919-520, filed 10/13/97, effective 11/13/97.]