

# SENATE BILL REPORT

## SHB 2188

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As Reported By Senate Committee On:  
Health & Long-Term Care, February 23, 1996

**Title:** An act relating to the revocation of a physician's license.

**Brief Description:** Requiring a majority vote of the medical quality assurance commission to revoke a physician's license.

**Sponsors:** House Committee on Health Care (originally sponsored by Representatives Backlund, Hymes, Dyer, Sherstad and Horn).

**Brief History:**

**Committee Activity:** Health & Long-Term Care: 2/22/96, 2/23/96 [DPA].

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### SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

**Majority Report:** Do pass as amended.

Signed by Senators Quigley, Chair; Wojahn, Vice Chair; Deccio, Fairley, Franklin, Thibaudeau, Winsley and Wood.

**Staff:** Rhoda Jones (786-7198)

**Background:** The Medical Quality Assurance Commission is the disciplinary authority for physicians charged with unprofessional conduct under the Uniform Disciplinary Act. It is comprised of 19 members, including 13 physicians, two physician assistants and four public members. The commission is authorized to revoke licenses, among other sanctions available, upon a finding of unprofessional conduct.

Because of the number of disciplinary actions, the commission routinely divides into two panels, with a quorum of three members respectively, the first panel to investigate the complaint and the second panel to make the final determination. When a finding has been made by the investigatory panel that there is sufficient evidence to warrant legal action, the other panel hears the case and issues a final order with sanctions. Panel decisions are taken by majority vote.

**Summary of Amended Bill:** When a panel of the Medical Quality Assurance Commission votes to revoke the license of a physician, the defendant has 20 days to appeal this revocation order. If the defendant requests a "second opinion," the commission must schedule a hearing within 60 days of the request. The commission must establish procedures for this revocation review by rule.

The revocation review is conducted by the members of the commission who were not included in the initial investigation.

**Amended Bill Compared to Substitute Bill:** The amended bill adds clarifying language stating that the members of the commission participating in revocation reviews would include everyone on the commission, except the members who had conducted the original investigation.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The substitute allows for better due process for physicians facing possible revocation of their license.

**Testimony Against:** The original bill stated that a majority of the commission must make a revocation order. This substitute removed that language.

**Testified:** Rep. Bill Backlund; Dr. Glenn Warner.