

CERTIFICATION OF ENROLLMENT

SENATE BILL 6138

54th Legislature
1996 Regular Session

Passed by the Senate March 2, 1996
YEAS 48 NAYS 0

President of the Senate

Passed by the House February 27, 1996
YEAS 98 NAYS 0

**Speaker of the
House of Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6138** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SENATE BILL 6138

AS AMENDED BY THE HOUSE

Passed Legislature - 1996 Regular Session

State of Washington 54th Legislature 1996 Regular Session

By Senator Kohl

Read first time 01/08/96. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to license revocation of massage practitioners; and
2 amending RCW 18.108.085.

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

4 **Sec. 1.** RCW 18.108.085 and 1995 c 353 s 2 are each amended to read
5 as follows:

6 (1) In addition to any other authority provided by law, the
7 secretary may:

8 (a) Adopt rules, in accordance with chapter 34.05 RCW necessary to
9 implement this chapter;

10 (b) Set all license, examination, and renewal fees in accordance
11 with RCW 43.70.250;

12 (c) Establish forms and procedures necessary to administer this
13 chapter;

14 (d) Issue a license to any applicant who has met the education,
15 training, and examination requirements for licensure; and

16 (e) Hire clerical, administrative, and investigative staff as
17 necessary to implement this chapter, and hire individuals licensed
18 under this chapter to serve as examiners for any practical
19 examinations.

1 (2) The Uniform Disciplinary Act, chapter 18.130 RCW, governs the
2 issuance and denial of licenses and the disciplining of persons under
3 this chapter. The secretary shall be the disciplining authority under
4 this chapter.

5 (3) Any license issued under this chapter to a person who is or has
6 been convicted of violating RCW 9A.88.030, 9A.88.070, 9A.88.080, or
7 9A.88.090 or equivalent local ordinances shall automatically be revoked
8 by the secretary upon receipt of a certified copy of the court
9 documents reflecting such conviction. No further hearing or procedure
10 is required, and the secretary has no discretion with regard to the
11 revocation of the license. The revocation shall be effective even
12 though such conviction may be under appeal, or the time period for such
13 appeal has not elapsed. However, upon presentation of a final
14 appellate decision overturning such conviction (~~(or upon completion of~~
15 ~~a prostitution prevention and intervention program under RCW 43.63A.720~~
16 ~~through 43.63A.740, 9.68A.105, and 9A.88.120)),~~ the license shall be
17 reinstated, unless grounds for disciplinary action have been found
18 (~~(pursuant to))~~ under chapter 18.130 RCW. (~~(Unless an applicant~~
19 ~~demonstrates that he or she has completed a prostitution prevention and~~
20 ~~intervention program under RCW 43.63A.720 through 43.63A.740,~~
21 ~~9.68A.105, and 9A.88.120,))~~ No license may be granted under this
22 chapter to any person who has been convicted of violating RCW
23 9A.88.030, 9A.88.070, 9A.88.080, or 9A.88.090 or equivalent local
24 ordinances within the eight years immediately preceding the date of
25 application. For purposes of this subsection, "convicted" does not
26 include a conviction that has been the subject of a pardon, annulment,
27 or other equivalent procedure based on a finding of innocence, but does
28 include convictions for offenses for which the defendant received a
29 deferred or suspended sentence, unless the record has been expunged
30 according to law.

31 (4) The secretary shall keep an official record of all proceedings
32 under this chapter, a part of which record shall consist of a register
33 of all applicants for licensure under this chapter, with the result of
34 each application.

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