

2 **HB 2452** - S COMM AMD

3 By Committee on Health & Long-Term Care

4 ADOPTED 3/1/00

5 Strike everything after the enacting clause and insert the  
6 following:

7 "Sec. 1. RCW 18.35.240 and 1996 c 200 s 30 are each amended to  
8 read as follows:

9 (1) Every (~~establishment~~) individual engaged in the fitting and  
10 dispensing of hearing instruments shall (~~file with the department~~) be  
11 covered by a surety bond (~~in the sum~~) of ten thousand dollars(~~(~~  
12 ~~running to the state of Washington)~~ or more, for the benefit of any  
13 person injured or damaged as a result of any violation by the  
14 (~~establishment's~~) licensee, certificate or permit holder, or their  
15 employees or agents of any of the provisions of this chapter or rules  
16 adopted by the secretary.

17 (2) In lieu of the surety bond required by this section, the  
18 (~~establishment may file with the department a cash~~) licensee or  
19 certificate or permit holder may deposit cash or other negotiable  
20 security (~~acceptable to the department~~) in a banking institution as  
21 defined in chapter 30.04 RCW or a credit union as defined in chapter  
22 31.12 RCW. All obligations and remedies relating to surety bonds shall  
23 apply to deposits and security filed in lieu of surety bonds.

24 (3) If a cash deposit or other negotiable security is filed, (~~the~~  
25 ~~department shall deposit the funds. The cash or other negotiable~~  
26 ~~security deposited with the department shall be returned to the~~  
27 ~~depositor~~) the licensee or certificate or permit holder shall maintain  
28 such cash or other negotiable security for one year after (~~the~~  
29 ~~establishment has discontinued~~) discontinuing the fitting and  
30 dispensing of hearing instruments (~~if no legal action has been~~  
31 ~~instituted against the establishment, its agents or employees, or the~~  
32 ~~cash deposit or other security. The establishment owners shall notify~~  
33 ~~the department if the establishment is sold, changes names, or has~~  
34 ~~discontinued the fitting and dispensing of hearing instruments in order~~  
35 ~~that the cash deposit or other security may be released at the end of~~  
36 ~~one year from that date.~~

1       ~~(4) A surety may file with the department notice of withdrawal of~~  
2 ~~the bond of the establishment. Upon filing a new bond, or upon the~~  
3 ~~expiration of sixty days after the filing of notice of withdrawal by~~  
4 ~~the surety, the liability of the former surety for all future acts of~~  
5 ~~the establishment terminates.~~

6       ~~(5) Upon the filing with the department notice by a surety of~~  
7 ~~withdrawal of the surety on the bond of an establishment or upon the~~  
8 ~~cancellation by the department of the bond of a surety under this~~  
9 ~~section, the department shall immediately give notice to the~~  
10 ~~establishment by certified or registered mail with return receipt~~  
11 ~~requested addressed to the establishment's last place of business as~~  
12 ~~filed with the department.~~

13       ~~(6) The department shall immediately cancel the bond given by a~~  
14 ~~surety company upon being advised that the surety company's license to~~  
15 ~~transact business in this state has been revoked)).~~

16       ~~((+7))~~ (4) Each invoice for the purchase of a hearing instrument  
17 provided to a customer must clearly display on the first page the bond  
18 number ~~((of the establishment or))~~ covering the licensee or certificate  
19 or permit holder responsible for fitting/dispensing the hearing  
20 instrument.

21       (5) All licensed hearing instrument fitter/dispensers, certified  
22 audiologists, and permit holders must verify compliance with the  
23 requirement to hold a surety bond or cash or other negotiable security  
24 by submitting a signed declaration of compliance upon annual renewal of  
25 their license, certificate, or permit. Up to twenty-five percent of  
26 the credential holders may be randomly audited for surety bond  
27 compliance after the credential is renewed. It is the credential  
28 holder's responsibility to submit a copy of the original surety bond or  
29 bonds, or documentation that cash or other negotiable security is held  
30 in a banking institution during the time period being audited. Failure  
31 to comply with the audit documentation request or failure to supply  
32 acceptable documentation within thirty days may result in disciplinary  
33 action.

34       **Sec. 2.** RCW 18.35.240 and 1998 c 142 s 18 are each amended to read  
35 as follows:

36       (1) Every ~~((establishment))~~ individual engaged in the fitting and  
37 dispensing of hearing instruments shall ~~((file with the department))~~ be  
38 covered by a surety bond ((in the sum)) of ten thousand dollars((

1 ~~running to the state of Washington))~~ or more, for the benefit of any  
2 person injured or damaged as a result of any violation by the  
3 ~~((establishment's))~~ licensee, certificate or permit holder, or their  
4 employees or agents of any of the provisions of this chapter or rules  
5 adopted by the secretary.

6 (2) In lieu of the surety bond required by this section, the  
7 ~~((establishment may file with the department a cash))~~ licensee or  
8 certificate or permit holder may deposit cash or other negotiable  
9 security ~~((acceptable to the department))~~ in a banking institution as  
10 defined in chapter 30.04 RCW or a credit union as defined in chapter  
11 31.12 RCW. All obligations and remedies relating to surety bonds shall  
12 apply to deposits and security filed in lieu of surety bonds.

13 (3) If a cash deposit or other negotiable security is filed, ~~((the~~  
14 ~~department shall deposit the funds. The cash or other negotiable~~  
15 ~~security deposited with the department shall be returned to the~~  
16 ~~depositor))~~ the licensee or certificate or permit holder shall maintain  
17 such cash or other negotiable security for one year after ((the  
18 ~~establishment has discontinued))~~ discontinuing the fitting and  
19 dispensing of hearing instruments ~~((if no legal action has been~~  
20 ~~instituted against the establishment, its agents or employees, or the~~  
21 ~~cash deposit or other security. The establishment owners shall notify~~  
22 ~~the department if the establishment is sold, changes names, or has~~  
23 ~~discontinued the fitting and dispensing of hearing instruments in order~~  
24 ~~that the cash deposit or other security may be released at the end of~~  
25 ~~one year from that date.~~

26 (4) A surety may file with the department notice of withdrawal of  
27 the bond of the establishment. Upon filing a new bond, or upon the  
28 expiration of sixty days after the filing of notice of withdrawal by  
29 the surety, the liability of the former surety for all future acts of  
30 the establishment terminates.

31 (5) Upon the filing with the department notice by a surety of  
32 withdrawal of the surety on the bond of an establishment or upon the  
33 cancellation by the department of the bond of a surety under this  
34 section, the department shall immediately give notice to the  
35 establishment by certified or registered mail with return receipt  
36 requested addressed to the establishment's last place of business as  
37 filed with the department.

1       ~~(6) The department shall immediately cancel the bond given by a~~  
2 ~~surety company upon being advised that the surety company's license to~~  
3 ~~transact business in this state has been revoked).~~

4       ~~((+7))~~ (4) Each invoice for the purchase of a hearing instrument  
5 provided to a customer must clearly display on the first page the bond  
6 number ~~((of the establishment or))~~ covering the licensee or certificate  
7 or interim permit holder responsible for fitting/dispensing the hearing  
8 instrument.

9       (5) All licensed hearing instrument fitter/dispensers, certified  
10 audiologists, and permit holders must verify compliance with the  
11 requirement to hold a surety bond or cash or other negotiable security  
12 by submitting a signed declaration of compliance upon annual renewal of  
13 their license, certificate, or permit. Up to twenty-five percent of  
14 the credential holders may be randomly audited for surety bond  
15 compliance after the credential is renewed. It is the credential  
16 holder's responsibility to submit a copy of the original surety bond or  
17 bonds, or documentation that cash or other negotiable security is held  
18 in a banking institution during the time period being audited. Failure  
19 to comply with the audit documentation request or failure to supply  
20 acceptable documentation within thirty days may result in disciplinary  
21 action.

22       **Sec. 3.** RCW 18.35.250 and 1996 c 200 s 31 are each amended to read  
23 as follows:

24       (1) In addition to any other legal remedies, an action may be  
25 brought in any court of competent jurisdiction upon the bond, cash  
26 deposit, or security in lieu of a surety bond required by this chapter,  
27 by any person having a claim against a licensee or certificate or  
28 permit holder, agent, or ~~((establishment))~~ employee for any violation  
29 of this chapter or any rule adopted under this chapter. The aggregate  
30 liability of the surety, cash deposit, or other negotiable security to  
31 all claimants shall in no event exceed the sum of the bond. Claims  
32 shall be satisfied in the order of judgment rendered.

33       (2) An action upon the bond, cash deposit, or other negotiable  
34 security shall be commenced by serving and filing ~~((the))~~ a complaint  
35 ~~((within one year from the date of the cancellation of the bond. An~~  
36 ~~action upon a cash deposit or other security shall be commenced by~~  
37 ~~serving and filing the complaint within one year from the date of~~  
38 ~~notification to the department of the change in ownership of the~~

1 ~~establishment or the discontinuation of the fitting and dispensing of~~  
2 ~~hearing instruments by that establishment. Two copies of the complaint~~  
3 ~~shall be served by registered or certified mail, return receipt~~  
4 ~~requested, upon the department at the time the suit is started. The~~  
5 ~~service constitutes service on the surety. The secretary shall~~  
6 ~~transmit one copy of the complaint to the surety within five business~~  
7 ~~days after the copy has been received.~~

8 (3) ~~The secretary shall maintain a record, available for public~~  
9 ~~inspection, of all suits commenced under this chapter under surety~~  
10 ~~bonds, or the cash or other security deposited in lieu of the surety~~  
11 ~~bond. In the event that any final judgment impairs the liability of~~  
12 ~~the surety upon a bond so furnished or the amount of the deposit so~~  
13 ~~that there is not in effect a bond undertaking or deposit in the full~~  
14 ~~amount prescribed in this section, the department shall suspend the~~  
15 ~~license or certificate until the bond undertaking or deposit in the~~  
16 ~~required amount, unimpaired by unsatisfied judgment claims, has been~~  
17 ~~furnished.~~

18 (4) ~~If a judgment is entered against the deposit or security~~  
19 ~~required under this chapter, the department shall, upon receipt of a~~  
20 ~~certified copy of a final judgment, pay the judgment from the amount of~~  
21 ~~the deposit or security)).~~

22 **Sec. 4.** RCW 18.35.250 and 1998 c 142 s 19 are each amended to read  
23 as follows:

24 (1) In addition to any other legal remedies, an action may be  
25 brought in any court of competent jurisdiction upon the bond, cash  
26 deposit, or security in lieu of a surety bond required by this chapter,  
27 by any person having a claim against a licensee or certificate or  
28 interim permit holder, agent, or ((~~establishment~~)) employee for any  
29 violation of this chapter or any rule adopted under this chapter. The  
30 aggregate liability of the surety, cash deposit, or other negotiable  
31 security to all claimants shall in no event exceed the sum of the bond.  
32 Claims shall be satisfied in the order of judgment rendered.

33 (2) An action upon the bond, cash deposit, or other negotiable  
34 security shall be commenced by serving and filing ((~~the~~)) a complaint  
35 ((~~within one year from the date of the cancellation of the bond. An~~  
36 ~~action upon a cash deposit or other security shall be commenced by~~  
37 ~~serving and filing the complaint within one year from the date of~~  
38 ~~notification to the department of the change in ownership of the~~

1 ~~establishment or the discontinuation of the fitting and dispensing of~~  
2 ~~hearing instruments by that establishment. Two copies of the complaint~~  
3 ~~shall be served by registered or certified mail, return receipt~~  
4 ~~requested, upon the department at the time the suit is started. The~~  
5 ~~service constitutes service on the surety. The secretary shall~~  
6 ~~transmit one copy of the complaint to the surety within five business~~  
7 ~~days after the copy has been received.~~

8 (3) ~~The secretary shall maintain a record, available for public~~  
9 ~~inspection, of all suits commenced under this chapter under surety~~  
10 ~~bonds, or the cash or other security deposited in lieu of the surety~~  
11 ~~bond. In the event that any final judgment impairs the liability of~~  
12 ~~the surety upon a bond so furnished or the amount of the deposit so~~  
13 ~~that there is not in effect a bond undertaking or deposit in the full~~  
14 ~~amount prescribed in this section, the department shall suspend the~~  
15 ~~license or certificate until the bond undertaking or deposit in the~~  
16 ~~required amount, unimpaired by unsatisfied judgment claims, has been~~  
17 ~~furnished.~~

18 (4) ~~If a judgment is entered against the deposit or security~~  
19 ~~required under this chapter, the department shall, upon receipt of a~~  
20 ~~certified copy of a final judgment, pay the judgment from the amount of~~  
21 ~~the deposit or security)).~~

22 **Sec. 5.** RCW 18.48.020 and 1996 c 81 s 4 are each amended to read  
23 as follows:

24 (1) The secretary shall register adult family home providers and  
25 resident managers.

26 (2) The secretary, by policy or rule, shall define terms and  
27 establish forms and procedures for registration applications, including  
28 the payment of registration fees pursuant to RCW 43.70.250. An  
29 application for an adult family home resident manager or provider  
30 registration shall include at least the following information:

31 (a) Name and address; and

32 (b) If the provider is a corporation, copies of its articles of  
33 incorporation and current bylaws, together with the names and addresses  
34 of its officers and directors.

35 ((3) ~~The secretary shall adopt policies or rules to establish the~~  
36 ~~registration periods, fees, and procedures. If the adult family home~~  
37 ~~is sold or ownership or management is transferred, the registration~~

1 ~~shall be voided and the provider and resident manager shall apply for~~  
2 ~~a new registration.))~~

3       **Sec. 6.** RCW 18.52.030 and 1992 c 53 s 3 are each amended to read  
4 as follows:

5       Nursing homes operating within this state shall be under the  
6 active, overall administrative charge and supervision of an on-site  
7 full-time administrator licensed as provided in this chapter. No  
8 person acting in any capacity, unless the holder of a nursing home  
9 administrator's license issued under this chapter, shall be charged  
10 with the overall responsibility to make decisions or direct actions  
11 involved in managing the internal operation of a nursing home, except  
12 as specifically delegated in writing by the administrator to identify  
13 a responsible person to act on the administrator's behalf when the  
14 administrator is absent. The administrator shall review the decisions  
15 upon the administrator's return and amend the decisions if necessary.  
16 The board shall define by rule the parameters for on-site full-time  
17 administrators in nursing homes with small resident populations and  
18 nursing homes in rural areas, or separately licensed facilities  
19 collocated on the same campus(~~(, as well as provide for the~~  
20 ~~administrative requirements for nursing homes that are temporarily~~  
21 ~~without administrators))~~).

22       **Sec. 7.** RCW 18.83.135 and 1999 c 66 s 2 are each amended to read  
23 as follows:

24       In addition to the authority prescribed under RCW 18.130.050, the  
25 board shall have the following authority:

26       (1) To maintain records of all activities, and to publish and  
27 distribute to all psychologists at least once each year abstracts of  
28 significant activities of the ~~((committee))~~ board;

29       (2) To obtain the written consent of the complaining client or  
30 patient or their legal representative, or of any person who may be  
31 affected by the complaint, in order to obtain information which  
32 otherwise might be confidential or privileged; and

33       (3) To apply the provisions of the uniform disciplinary act,  
34 chapter 18.130 RCW, to all persons licensed as psychologists under this  
35 chapter.

1       **Sec. 8.** RCW 18.92.013 and 1993 c 78 s 2 are each amended to read  
2 as follows:

3       (1) A veterinarian legally prescribing drugs may delegate to a  
4 registered veterinary medication clerk or a registered (~~(animal)~~)  
5 veterinary technician, while under the veterinarian's direct  
6 supervision, certain nondiscretionary functions defined by the board  
7 and used in the dispensing of legend and nonlegend drugs (except  
8 controlled substances as defined in or under chapter 69.50 RCW)  
9 associated with the practice of veterinary medicine. Upon final  
10 approval of the packaged prescription following a direct physical  
11 inspection of the packaged prescription for proper formulation,  
12 packaging, and labeling by the veterinarian, the veterinarian may  
13 delegate the delivery of the prescription to a registered veterinary  
14 medication clerk or registered (~~(animal)~~) veterinary technician, while  
15 under the veterinarian's indirect supervision. Dispensing of drugs by  
16 veterinarians, registered (~~(animal)~~) veterinary technicians, and  
17 registered veterinary medication clerks shall meet the applicable  
18 requirements of chapters 18.64, 69.40, 69.41, and 69.50 RCW and is  
19 subject to inspection by the board of pharmacy investigators.

20       (2) For the purposes of this section:

21       (a) "Direct supervision" means the veterinarian is on the premises  
22 and is quickly and easily available; and

23       (b) "Indirect supervision" means the veterinarian is not on the  
24 premises but has given written or oral instructions for the delegated  
25 task.

26       **Sec. 9.** RCW 18.92.015 and 1993 c 78 s 1 are each amended to read  
27 as follows:

28       Unless the context clearly requires otherwise, the definitions in  
29 this section apply throughout this chapter.

30       "~~(Animal)~~ Veterinary technician" means a person who has  
31 successfully completed an examination administered by the board and who  
32 has either successfully completed a post high school course approved by  
33 the board in the care and treatment of animals or had five years'  
34 practical experience, acceptable to the board, with a licensed  
35 veterinarian.

36       "Board" means the Washington state veterinary board of governors.

37       "Department" means the department of health.

38       "Secretary" means the secretary of the department of health.



1 "Veterinary medication clerk" means a person who has satisfactorily  
2 completed a board-approved training program developed in consultation  
3 with the board of pharmacy and designed to prepare persons to perform  
4 certain nondiscretionary functions defined by the board and used in the  
5 dispensing of legend and nonlegend drugs (except controlled substances  
6 as defined in or under chapter 69.50 RCW) associated with the practice  
7 of veterinary medicine.

8 **Sec. 10.** RCW 18.92.030 and 1995 c 198 s 13 are each amended to  
9 read as follows:

10 The board shall develop and administer, or approve, or both, a  
11 licensure examination in the subjects determined by the board to be  
12 essential to the practice of veterinary medicine, surgery, and  
13 dentistry. The board may approve an examination prepared or  
14 administered by a private testing agency or association of licensing  
15 authorities. The board, under chapter 34.05 RCW, may adopt rules  
16 necessary to carry out the purposes of this chapter, including the  
17 performance of the duties and responsibilities of (~~animal~~) veterinary  
18 technicians and veterinary medication clerks. The rules shall be  
19 adopted in the interest of good veterinary health care delivery to the  
20 consuming public and shall not prevent (~~animal~~) veterinary  
21 technicians from inoculating an animal. The board also has the power  
22 to adopt by rule standards prescribing requirements for veterinary  
23 medical facilities and fixing minimum standards of continuing  
24 veterinary medical education.

25 The department is the official office of record.

26 **Sec. 11.** RCW 18.92.060 and 1995 c 317 s 2 are each amended to read  
27 as follows:

28 Nothing in this chapter applies to:

29 (1) Commissioned veterinarians in the United States military  
30 services or veterinarians employed by Washington state and federal  
31 agencies while performing official duties;

32 (2) A person practicing veterinary medicine upon his or her own  
33 animal;

34 (3) A person advising with respect to or performing the castrating  
35 and dehorning of cattle, castrating and docking of sheep, castrating of  
36 swine, caponizing of poultry, or artificial insemination of animals;

1 (4)(a) A person who is a regularly enrolled student in a veterinary  
2 school or training course approved under RCW 18.92.015 and performing  
3 duties or actions assigned by his or her instructors or working under  
4 the direct supervision of a licensed veterinarian during a school  
5 vacation period or (b) a person performing assigned duties under the  
6 supervision of a veterinarian within the established framework of an  
7 internship program recognized by the board;

8 (5) A veterinarian regularly licensed in another state consulting  
9 with a licensed veterinarian in this state;

10 (6) (~~(An animal)~~) A veterinary technician or veterinary medication  
11 clerk acting under the supervision and control of a licensed  
12 veterinarian. The practice of (~~(an animal)~~) a veterinary technician or  
13 veterinary medication clerk is limited to the performance of services  
14 which are authorized by the board;

15 (7) An owner being assisted in practice by his or her employees  
16 when employed in the conduct of the owner's business;

17 (8) An owner being assisted in practice by some other person  
18 gratuitously;

19 (9) The implanting in their own animals of any electronic device  
20 for identifying animals by established humane societies and animal  
21 control organizations that provide appropriate training, as determined  
22 by the veterinary board of governors, and/or direct or indirect  
23 supervision by a licensed veterinarian;

24 (10) The implanting of any electronic device by a public fish and  
25 wildlife agency for the identification of fish or wildlife.

26 **Sec. 12.** RCW 18.92.125 and 1993 c 78 s 5 are each amended to read  
27 as follows:

28 No veterinarian who uses the services of (~~(an animal)~~) a veterinary  
29 technician or veterinary medication clerk shall be considered as aiding  
30 and abetting any unlicensed person to practice veterinary medicine. A  
31 veterinarian retains professional and personal responsibility for any  
32 act which constitutes the practice of veterinary medicine as defined in  
33 this chapter when performed by (~~(an animal)~~) a veterinary technician or  
34 veterinary medication clerk in his or her employ.

35 **Sec. 13.** RCW 18.92.140 and 1996 c 191 s 79 are each amended to  
36 read as follows:

1 Each person now qualified to practice veterinary medicine, surgery,  
2 and dentistry, registered as (~~(an animal)~~) a veterinary technician, or  
3 registered as a veterinary medication clerk in this state or who  
4 becomes licensed or registered to engage in practice shall comply with  
5 administrative procedures, administrative requirements, and fees  
6 determined as provided in RCW 43.70.250 and 43.70.280.

7 **Sec. 14.** RCW 18.92.145 and 1996 c 191 s 80 are each amended to  
8 read as follows:

9 Administrative procedures, administrative requirements, and fees  
10 shall be established as provided in RCW 43.70.250 and 43.70.280 for the  
11 issuance, renewal, or administration of the following licenses,  
12 certificates of registration, permits, duplicate licenses, renewals, or  
13 examination:

14 (1) For a license to practice veterinary medicine, surgery, and  
15 dentistry issued upon an examination given by the examining board;

16 (2) For a license to practice veterinary medicine, surgery, and  
17 dentistry issued upon the basis of a license issued in another state;

18 (3) For a certificate of registration as (~~(an animal)~~) a veterinary  
19 technician;

20 (4) For a certificate of registration as a veterinary medication  
21 clerk;

22 (5) For a temporary permit to practice veterinary medicine,  
23 surgery, and dentistry. The temporary permit fee shall be accompanied  
24 by the full amount of the examination fee; and

25 (6) For a license to practice specialized veterinary medicine.

26 **Sec. 15.** RCW 18.120.020 and 1997 c 334 s 13 are each amended to  
27 read as follows:

28 The definitions (~~(contained)~~) in this section (~~(shall)~~) apply  
29 throughout this chapter unless the context clearly requires otherwise.

30 (1) "Applicant group" includes any health professional group or  
31 organization, any individual, or any other interested party which  
32 proposes that any health professional group not presently regulated be  
33 regulated or which proposes to substantially increase the scope of  
34 practice of the profession.

35 (2) "Certificate" and "certification" mean a voluntary process by  
36 which a statutory regulatory entity grants recognition to an individual  
37 who (a) has met certain prerequisite qualifications specified by that

1 regulatory entity, and (b) may assume or use "certified" in the title  
2 or designation to perform prescribed health professional tasks.

3 (3) "Grandfather clause" means a provision in a regulatory statute  
4 applicable to practitioners actively engaged in the regulated health  
5 profession prior to the effective date of the regulatory statute which  
6 exempts the practitioners from meeting the prerequisite qualifications  
7 set forth in the regulatory statute to perform prescribed occupational  
8 tasks.

9 (4) "Health professions" means and includes the following health  
10 and health-related licensed or regulated professions and occupations:  
11 Podiatric medicine and surgery under chapter 18.22 RCW; chiropractic  
12 under chapter 18.25 RCW; dental hygiene under chapter 18.29 RCW;  
13 dentistry under chapter 18.32 RCW; denturism under chapter 18.30 RCW;  
14 dispensing opticians under chapter 18.34 RCW; hearing instruments under  
15 chapter 18.35 RCW; naturopaths under chapter 18.36A RCW; embalming and  
16 funeral directing under chapter 18.39 RCW; midwifery under chapter  
17 18.50 RCW; nursing home administration under chapter 18.52 RCW;  
18 optometry under chapters 18.53 and 18.54 RCW; ocularists under chapter  
19 18.55 RCW; osteopathic medicine and surgery under chapters 18.57 and  
20 18.57A RCW; pharmacy under chapters 18.64 and 18.64A RCW; medicine  
21 under chapters 18.71 and 18.71A RCW; emergency medicine under chapter  
22 18.73 RCW; physical therapy under chapter 18.74 RCW; practical nurses  
23 under chapter 18.79 RCW; psychologists under chapter 18.83 RCW;  
24 registered nurses under chapter 18.79 RCW; occupational therapists  
25 licensed under chapter 18.59 RCW; respiratory care practitioners  
26 licensed under chapter 18.89 RCW; veterinarians and (~~animal~~)  
27 veterinary technicians under chapter 18.92 RCW; health care assistants  
28 under chapter 18.135 RCW; massage practitioners under chapter 18.108  
29 RCW; acupuncturists licensed under chapter 18.06 RCW; persons  
30 registered or certified under chapter 18.19 RCW; dietitians and  
31 nutritionists certified by chapter 18.138 RCW; radiologic technicians  
32 under chapter 18.84 RCW; and nursing assistants registered or certified  
33 under chapter 18.88A RCW.

34 (5) "Inspection" means the periodic examination of practitioners by  
35 a state agency in order to ascertain whether the practitioners'  
36 occupation is being carried out in a fashion consistent with the public  
37 health, safety, and welfare.

38 (6) "Legislative committees of reference" means the standing  
39 legislative committees designated by the respective rules committees of

1 the senate and house of representatives to consider proposed  
2 legislation to regulate health professions not previously regulated.

3 (7) "License," "licensing," and "licensure" mean permission to  
4 engage in a health profession which would otherwise be unlawful in the  
5 state in the absence of the permission. A license is granted to those  
6 individuals who meet prerequisite qualifications to perform prescribed  
7 health professional tasks and for the use of a particular title.

8 (8) "Professional license" means an individual, nontransferable  
9 authorization to carry on a health activity based on qualifications  
10 which include: (a) Graduation from an accredited or approved program,  
11 and (b) acceptable performance on a qualifying examination or series of  
12 examinations.

13 (9) "Practitioner" means an individual who (a) has achieved  
14 knowledge and skill by practice, and (b) is actively engaged in a  
15 specified health profession.

16 (10) "Public member" means an individual who is not, and never was,  
17 a member of the health profession being regulated or the spouse of a  
18 member, or an individual who does not have and never has had a material  
19 financial interest in either the rendering of the health professional  
20 service being regulated or an activity directly related to the  
21 profession being regulated.

22 (11) "Registration" means the formal notification which, prior to  
23 rendering services, a practitioner shall submit to a state agency  
24 setting forth the name and address of the practitioner; the location,  
25 nature and operation of the health activity to be practiced; and, if  
26 required by the regulatory entity, a description of the service to be  
27 provided.

28 (12) "Regulatory entity" means any board, commission, agency,  
29 division, or other unit or subunit of state government which regulates  
30 one or more professions, occupations, industries, businesses, or other  
31 endeavors in this state.

32 (13) "State agency" includes every state office, department, board,  
33 commission, regulatory entity, and agency of the state, and, where  
34 provided by law, programs and activities involving less than the full  
35 responsibility of a state agency.

36 **Sec. 16.** RCW 18.73.030 and 1990 c 269 s 23 are each amended to  
37 read as follows:

1 Unless a different meaning is plainly required by the context, the  
2 following words and phrases as used in this chapter shall have the  
3 meanings indicated.

4 (1) "Secretary" means the secretary of the department of health.

5 (2) "Department" means the department of health.

6 (3) "Committee" means the emergency medical services licensing and  
7 certification advisory committee.

8 (4) "Ambulance" means a ground or air vehicle designed and used to  
9 transport the ill and injured and to provide personnel, facilities, and  
10 equipment to treat patients before and during transportation.

11 (5) "Aid vehicle" means a vehicle used to carry aid equipment and  
12 individuals trained in first aid or emergency medical procedure.

13 (6) "Emergency medical technician" means a person who is authorized  
14 by the secretary to render emergency medical care pursuant to RCW  
15 18.73.081.

16 ~~(7) ("Ambulance operator" means a person who owns one or more  
17 ambulances and operates them as a private business.~~

18 ~~(8) "Ambulance director" means a person who is a director of a  
19 service which operates one or more ambulances provided by a volunteer  
20 organization or governmental agency.~~

21 ~~(9) "Aid vehicle operator" means a person who owns one or more aid  
22 vehicles and operates them as a private business.~~

23 ~~(10) "Aid director" means a person who is a director of a service  
24 which operates one or more aid vehicles provided by a volunteer  
25 organization or governmental agency.~~

26 ~~(11)) "Ambulance service" means an organization that operates one  
27 or more ambulances.~~

28 (8) "Aid service" means an organization that operates one or more  
29 aid vehicles.

30 (9) "Emergency medical service" means medical treatment and care  
31 which may be rendered at the scene of any medical emergency or while  
32 transporting any patient in an ambulance to an appropriate medical  
33 facility, including ambulance transportation between medical  
34 facilities.

35 ~~((12))~~ (10) "Communications system" means a radio and landline  
36 network which provides rapid public access, coordinated central  
37 dispatching of services, and coordination of personnel, equipment, and  
38 facilities in an emergency medical services and trauma care system.

1       (~~(13)~~) (11) "Prehospital patient care protocols" means the  
2 written procedure adopted by the emergency medical services medical  
3 program director which direct the out-of-hospital emergency care of the  
4 emergency patient which includes the trauma care patient. These  
5 procedures shall be based upon the assessment of the patient's medical  
6 needs and what treatment will be provided for emergency conditions.  
7 The protocols shall meet or exceed state-wide minimum standards  
8 developed by the department in rule as authorized in chapter 70.168  
9 RCW.

10       (~~(14)~~) (12) "Patient care procedures" means written operating  
11 guidelines adopted by the regional emergency medical services and  
12 trauma care council, in consultation with the local emergency medical  
13 services and trauma care councils, emergency communication centers, and  
14 the emergency medical services medical program director, in accordance  
15 with state-wide minimum standards. The patient care procedures shall  
16 identify the level of medical care personnel to be dispatched to an  
17 emergency scene, procedures for triage of patients, the level of trauma  
18 care facility to first receive the patient, and the name and location  
19 of other trauma care facilities to receive the patient should an  
20 interfacility transfer be necessary. Procedures on interfacility  
21 transfer of patients shall be consistent with the transfer procedures  
22 in chapter 70.170 RCW.

23       (~~(15)~~) (13) "Emergency medical services medical program director"  
24 means a person who is an approved medical program director as defined  
25 by RCW 18.71.205(4).

26       (~~(16)~~) (14) "Council" means the local or regional emergency  
27 medical services and trauma care council as authorized under chapter  
28 70.168 RCW.

29       (~~(17)~~) (15) "Basic life support" means noninvasive emergency  
30 medical services requiring basic medical treatment skills as defined in  
31 chapter 18.73 RCW.

32       (~~(18)~~) (16) "Advanced life support" means invasive emergency  
33 medical services requiring advanced medical treatment skills as defined  
34 by chapter 18.71 RCW.

35       (~~(19)~~) (17) "First responder" means a person who is authorized by  
36 the secretary to render emergency medical care as defined by RCW  
37 18.73.081.

1       **Sec. 17.** RCW 18.73.101 and 1987 c 214 s 9 are each amended to read  
2 as follows:

3       The secretary may grant a variance from a provision of this chapter  
4 and RCW 18.71.200 through 18.71.220 if no detriment to health and  
5 safety would result from the variance and compliance is expected to  
6 cause reduction or loss of existing emergency medical services.  
7 Variances may be granted for a period of no more than one year. A  
8 variance may be renewed by the secretary upon approval of the  
9 committee.

10       **Sec. 18.** RCW 18.73.130 and 1992 c 128 s 2 are each amended to read  
11 as follows:

12       An ambulance (~~((operator, ambulance director, aid vehicle operator~~  
13 ~~or aid director))~~ service or aid service may not operate (~~(a service)~~)  
14 in the state of Washington without holding a license for such  
15 operation, issued by the secretary when such operation is consistent  
16 with the state-wide and regional emergency medical services and trauma  
17 care plans established pursuant to chapter 70.168 RCW, indicating the  
18 general area to be served and the number of vehicles to be used, with  
19 the following exceptions:

20       (1) The United States government;

21       (2) Ambulance (~~(operators and ambulance directors)~~) services  
22 providing service in other states when bringing patients into this  
23 state;

24       (3) Owners of businesses in which ambulance or aid vehicles are  
25 used exclusively on company property but occasionally in emergencies  
26 may transport patients to hospitals not on company property; and

27       (4) Operators of vehicles pressed into service for transportation  
28 of patients in emergencies when licensed ambulances are not available  
29 or cannot meet overwhelming demand.

30       The license shall be valid for a period of two years and shall be  
31 renewed on request provided the holder has consistently complied with  
32 the regulations of the department and the department of licensing and  
33 provided also that the needs of the area served have been met  
34 satisfactorily. The license shall not be transferable and may be  
35 revoked if the service is found in violation of rules adopted by the  
36 department.



1       **Sec. 19.** RCW 18.73.140 and 1992 c 128 s 3 are each amended to read  
2 as follows:

3       The secretary shall issue an ambulance or aid vehicle license for  
4 each vehicle so designated. The license shall be for a period of two  
5 years and may be reissued on expiration if the vehicle and its  
6 equipment meet requirements in force at the time of expiration of the  
7 license period. The license may be revoked if the ambulance or aid  
8 vehicle is found to be operating in violation of the regulations  
9 promulgated by the department or without required equipment. The  
10 license shall be terminated automatically if the vehicle is sold or  
11 transferred to the control of (~~anyone~~) any organization not currently  
12 licensed as an ambulance or aid vehicle (~~operator or director~~)  
13 service. The license number shall be prominently displayed on each  
14 vehicle.

15       **Sec. 20.** RCW 70.168.020 and 1990 c 269 s 5 are each amended to  
16 read as follows:

17       (1) There is hereby created an emergency medical services and  
18 trauma care steering committee composed of representatives of  
19 individuals knowledgeable in emergency medical services and trauma  
20 care, including emergency medical providers such as physicians, nurses,  
21 hospital personnel, emergency medical technicians, paramedics,  
22 ambulance (~~operators~~) services, a member of the emergency medical  
23 services licensing and certification advisory committee, local  
24 government officials, state officials, consumers, and persons  
25 affiliated professionally with health science schools. The governor  
26 shall appoint members of the steering committee. Members shall be  
27 appointed for a period of three years. The department shall provide  
28 administrative support to the committee. All appointive members of the  
29 committee, in the performance of their duties, may be entitled to  
30 receive travel expenses as provided in RCW 43.03.050 and 43.03.060.  
31 The governor may remove members from the committee who have three  
32 unexcused absences from committee meetings. The governor shall fill  
33 any vacancies of the committee in a timely manner. The terms of those  
34 members representing the same field shall not expire at the same time.  
35       The committee shall elect a chair and a vice-chair whose terms of  
36 office shall be for one year each. The chair shall be ineligible for  
37 reelection after serving four consecutive terms.

1 The committee shall meet on call by the governor, the secretary, or  
2 the chair.

3 (2) The emergency medical services and trauma care steering  
4 committee shall:

5 (a) Advise the department regarding emergency medical services and  
6 trauma care needs throughout the state.

7 (b) Review the regional emergency medical services and trauma care  
8 plans and recommend changes to the department before the department  
9 adopts the plans.

10 (c) Review proposed departmental rules for emergency medical  
11 services and trauma care.

12 (d) Recommend modifications in rules regarding emergency medical  
13 services and trauma care.

14 **Sec. 21.** RCW 71.12.455 and 1977 ex.s. c 80 s 43 are each amended  
15 to read as follows:

16 As used in this chapter, "establishment" and "institution" mean and  
17 include every private hospital, sanitarium, home, or other place  
18 receiving or caring for any mentally ill, (~~or~~) mentally incompetent  
19 person, or (~~alcoholic~~) chemically dependent person.

20 **Sec. 22.** RCW 71.12.460 and 1989 1st ex.s. c 9 s 226 are each  
21 amended to read as follows:

22 No person, association, or corporation, shall establish or keep,  
23 for compensation or hire, an establishment as defined in this chapter  
24 without first having obtained a license therefor from the department of  
25 health, complied with rules adopted under this chapter, and (~~having~~)  
26 paid the license fee provided in this chapter. Any person who carries  
27 on, conducts, or attempts to carry on or conduct an establishment as  
28 defined in this chapter without first having obtained a license from  
29 the department of health, as in this chapter provided, is guilty of a  
30 misdemeanor and on conviction thereof shall be punished by imprisonment  
31 in a county jail not exceeding six months, or by a fine not exceeding  
32 one thousand dollars, or by both such fine and imprisonment. The  
33 managing and executive officers of any corporation violating the  
34 provisions of this chapter shall be liable under the provisions of this  
35 chapter in the same manner and to the same effect as a private  
36 individual violating the same.

1       **Sec. 23.** RCW 71.12.470 and 1987 c 75 s 19 are each amended to read  
2 as follows:

3       Every application for a license shall be accompanied by a plan of  
4 the premises proposed to be occupied, describing the capacities of the  
5 buildings for the uses intended, the extent and location of grounds  
6 appurtenant thereto, and the number of patients proposed to be received  
7 therein, with such other information, and in such form, as the  
8 department of health requires. The application shall be accompanied by  
9 the proper license fee. The amount of the license fee shall be  
10 established by the department of health under RCW ((43.20B.110))  
11 43.70.110.

12       **Sec. 24.** RCW 71.12.480 and 1989 1st ex.s. c 9 s 227 are each  
13 amended to read as follows:

14       The department of health shall not grant any such license until it  
15 has made an examination of all phases of the operation of the  
16 establishment necessary to determine compliance with rules adopted  
17 under this chapter including the premises proposed to be licensed and  
18 is satisfied that ((they)) the premises are substantially as described,  
19 and are otherwise fit and suitable for the purposes for which they are  
20 designed to be used, and that such license should be granted.

21       **Sec. 25.** RCW 71.12.500 and 1989 1st ex.s. c 9 s 230 and 1989 c 175  
22 s 137 are each reenacted and amended to read as follows:

23       The department of health may at any time examine and ascertain how  
24 far a licensed establishment is conducted in compliance with this  
25 chapter, the rules adopted under this chapter, and the requirements of  
26 the license therefor. If the interests of the patients of the  
27 establishment so demand, the department may, for just and reasonable  
28 cause, suspend, modify, or revoke any such license. RCW ((43.20A.205))  
29 43.70.115 governs notice of a license denial, revocation, suspension,  
30 or modification and provides the right to an adjudicative proceeding.

31       **Sec. 26.** RCW 71.12.510 and 1959 c 25 s 71.12.510 are each amended  
32 to read as follows:

33       The department of health may at any time cause any establishment as  
34 defined in this chapter to be visited and examined.

1       **Sec. 27.** RCW 71.12.520 and 1989 1st ex.s. c 9 s 231 are each  
2 amended to read as follows:

3       Each such visit may include an inspection of every part of each  
4 establishment. The representatives of the department of health may  
5 make an examination of all records, methods of administration, the  
6 general and special dietary, the stores and methods of supply, and may  
7 cause an examination and diagnosis to be made of any person confined  
8 therein. The representatives of the department of health may examine  
9 to determine their fitness for their duties the officers, attendants,  
10 and other employees, and may talk with any of the patients apart from  
11 the officers and attendants.

12       **NEW SECTION. Sec. 28.** A new section is added to chapter 71.12 RCW  
13 to read as follows:

14       The department of health shall adopt rules for the licensing,  
15 operation, and inspections of establishments and institutions and the  
16 enforcement thereof.

17       **Sec. 29.** RCW 18.46.005 and 1951 c 168 s 1 are each amended to read  
18 as follows:

19       The purpose of this chapter is to provide for the development,  
20 establishment, and enforcement of standards for the maintenance and  
21 operation of (~~(maternity homes)~~) birthing centers, which, in the light  
22 of advancing knowledge, will promote safe and adequate care and  
23 treatment of the individuals therein.

24       **Sec. 30.** RCW 18.46.010 and 1991 c 3 s 100 are each amended to read  
25 as follows:

26       (1) (~~("Maternity home")~~) "Birthing center" or "childbirth center"  
27 means any (~~(home, place, hospital or institution in which facilities~~  
28 ~~are maintained for the care of four or more women, not related by blood~~  
29 ~~or marriage to the operator, during pregnancy or during or within ten~~  
30 ~~days after delivery)) health facility, not part of a hospital or in a  
31 hospital, that provides facilities and staff to support a birth service  
32 to low-risk maternity clients: PROVIDED, HOWEVER, That this chapter  
33 shall not apply to any hospital approved by the American College of  
34 Surgeons, American Osteopathic Association, or its successor.~~

1 (2) (~~"Person" means any individual, firm, partnership,~~  
2 ~~corporation, company, association, or joint stock association, and the~~  
3 ~~legal successor thereof.~~

4 ~~(3))~~ "Department" means the state department of health.

5 (3) "Low-risk" means normal, uncomplicated prenatal course as  
6 determined by adequate prenatal care and prospects for a normal  
7 uncomplicated birth as defined by reasonable and generally accepted  
8 criteria of maternal and fetal health.

9 (4) "Person" means any individual, firm, partnership, corporation,  
10 company, association, or joint stock association, and the legal  
11 successor thereof.

12 **Sec. 31.** RCW 18.46.020 and 1951 c 168 s 3 are each amended to read  
13 as follows:

14 After July 1, 1951, no person shall operate a (~~maternity home~~)  
15 birthing center in this state without a license under this chapter.

16 **Sec. 32.** RCW 18.46.040 and 1987 c 75 s 5 are each amended to read  
17 as follows:

18 Upon receipt of an application for a license and the license fee,  
19 the licensing agency shall issue a license if the applicant and the  
20 (~~maternity home facilities~~) birthing center meet the requirements  
21 established under this chapter. A license, unless suspended or  
22 revoked, shall be renewable annually. Applications for renewal shall  
23 be on forms provided by the department and shall be filed in the  
24 department not less than ten days prior to its expiration. Each  
25 application for renewal shall be accompanied by a license fee as  
26 established by the department under RCW 43.20B.110. Each license shall  
27 be issued only for the premises and persons named in the application  
28 and shall not be transferable or assignable except with the written  
29 approval of the department. Licenses shall be posted in a conspicuous  
30 place on the licensed premises.

31 **Sec. 33.** RCW 18.46.060 and 1985 c 213 s 10 are each amended to  
32 read as follows:

33 The department, after consultation with representatives of  
34 (~~maternity home~~) birthing center operators, state medical  
35 association, Washington Osteopathic Association, state nurses  
36 association, state hospital association, state midwives association,

1 and any other representatives as the department may deem necessary,  
2 shall adopt, amend, and promulgate such rules and regulations with  
3 respect to all (~~(maternity homes)~~) birthing centers in the promotion of  
4 safe and adequate medical and nursing care (~~(of inmates)~~) in the  
5 (~~(maternity home)~~) birthing center and the sanitary, hygienic, and safe  
6 condition of the (~~(maternity home)~~) birthing center in the interest of  
7 the health, safety, and welfare of the people.

8       **Sec. 34.** RCW 18.46.070 and 1951 c 168 s 8 are each amended to read  
9 as follows:

10       Any (~~(maternity home)~~) birthing center which is in operation at the  
11 time of promulgation of any applicable rules or regulations under this  
12 chapter shall be given a reasonable time, under the particular  
13 circumstances, not to exceed three months from the date of such  
14 promulgation, to comply with the rules and regulations established  
15 under this chapter.

16       **Sec. 35.** RCW 18.46.080 and 1951 c 168 s 9 are each amended to read  
17 as follows:

18       The department shall make or cause to be made an inspection and  
19 investigation of all (~~(maternity homes)~~) birthing centers, and every  
20 inspection may include an inspection of every part of the premises.  
21 The department may make an examination of all records, methods of  
22 administration, the general and special dietary and the stores and  
23 methods of supply. The (~~(board)~~) department may prescribe by  
24 regulation that any licensee or applicant desiring to make specified  
25 types of alteration or addition to its facilities or to construct new  
26 facilities shall before commencing such alterations, addition, or new  
27 construction submit plans and specifications therefor to the department  
28 for preliminary inspection and approval or recommendations with respect  
29 to compliance with regulations and standards herein authorized.  
30 Necessary conferences and consultations may be provided.

31       **Sec. 36.** RCW 18.46.090 and 1951 c 168 s 10 are each amended to  
32 read as follows:

33       All information received by the department through filed reports,  
34 inspection, or as otherwise authorized under this chapter shall not be  
35 disclosed publicly in any manner as to identify individuals or

1 ((~~maternity homes~~)) birthing centers except in a proceeding involving  
2 the question of licensure.

3 **Sec. 37.** RCW 18.46.110 and 1995 c 369 s 5 are each amended to read  
4 as follows:

5 Fire protection with respect to all ((~~maternity homes~~)) birthing  
6 centers to be licensed hereunder, shall be the responsibility of the  
7 chief of the Washington state patrol, through the director of fire  
8 protection, who shall adopt by reference, such recognized standards as  
9 may be applicable to nursing homes, places of refuge, and ((~~maternity~~  
10 ~~homes~~)) birthing centers for the protection of life against the cause  
11 and spread of fire and fire hazards. The department upon receipt of an  
12 application for a license, shall submit to the chief of the Washington  
13 state patrol, through the director of fire protection, in writing, a  
14 request for an inspection, giving the applicant's name and the location  
15 of the premises to be licensed. Upon receipt of such a request, the  
16 chief of the Washington state patrol, through the director of fire  
17 protection, or his or her deputy, shall make an inspection of the  
18 ((~~maternity home~~)) birthing center to be licensed, and if it is found  
19 that the premises do not comply with the required safety standards and  
20 fire regulations as promulgated by the chief of the Washington state  
21 patrol, through the director of fire protection, he or she shall  
22 promptly make a written report to the department as to the manner in  
23 which the premises may qualify for a license and set forth the  
24 conditions to be remedied with respect to fire regulations. The  
25 department, applicant or licensee shall notify the chief of the  
26 Washington state patrol, through the director of fire protection, upon  
27 completion of any requirements made by him or her, and the chief of the  
28 Washington state patrol, through the director of fire protection, or  
29 his or her deputy, shall make a reinspection of such premises.  
30 Whenever the ((~~maternity home~~)) birthing center to be licensed meets  
31 with the approval of the chief of the Washington state patrol, through  
32 the director of fire protection, he or she shall submit to the  
33 department, a written report approving same with respect to fire  
34 protection before a license can be issued. The chief of the Washington  
35 state patrol, through the director of fire protection, shall make or  
36 cause to be made such inspection of such ((~~maternity homes~~)) birthing  
37 centers as he or she deems necessary.

1 In cities which have in force a comprehensive building code, the  
2 regulation of which is equal to the minimum standards of the code for  
3 (~~maternity homes~~) birthing centers adopted by the chief of the  
4 Washington state patrol, through the director of fire protection, the  
5 building inspector and the chief of the fire department, provided the  
6 latter is a paid chief of a paid fire department, shall make the  
7 inspection and shall approve the premises before a license can be  
8 issued.

9 In cities where such building codes are in force, the chief of the  
10 Washington state patrol, through the director of fire protection, may,  
11 upon request by the chief fire official, or the local governing body,  
12 or of a taxpayer of such city, assist in the enforcement of any such  
13 code pertaining to (~~maternity homes~~) birthing centers.

14 **Sec. 38.** RCW 18.46.120 and 1951 c 168 s 13 are each amended to  
15 read as follows:

16 Any person operating or maintaining any (~~maternity home~~) birthing  
17 center without a license under this chapter shall be guilty of a  
18 misdemeanor. Each day of a continuing violation after conviction shall  
19 be considered a separate offense.

20 **Sec. 39.** RCW 18.46.130 and 1951 c 168 s 14 are each amended to  
21 read as follows:

22 Notwithstanding the existence or use of any other remedy, the  
23 department may in the manner provided by law, upon the advice of the  
24 attorney general who shall represent the department in all proceedings,  
25 maintain an action in the name of the state for an injunction or other  
26 process against any person to restrain or prevent the operation or  
27 maintenance of a (~~maternity home~~) birthing center not licensed under  
28 this chapter.

29 **Sec. 40.** RCW 18.46.140 and 1951 c 168 s 15 are each amended to  
30 read as follows:

31 Nothing in this chapter or the rules and regulations adopted  
32 pursuant thereto shall be construed as authorizing the supervision,  
33 regulation, or control of the remedial and nursing care of (~~residents~~  
34 ~~or~~) patients in any (~~maternity home~~) birthing center as defined in  
35 this chapter, conducted for or by members of a recognized religious  
36 sect, denomination, or organization which in accordance with its creed,



1 tenets, or principles depends for healing upon prayer in the practice  
2 of religion, nor shall the existence of any of the above conditions  
3 militate against the licensing of such ~~((home or institution))~~  
4 facility.

5 **Sec. 41.** RCW 18.57A.070 and 1977 ex.s. c 233 s 1 are each amended  
6 to read as follows:

7 ~~((1) The performance of acupuncture for the purpose of  
8 demonstration, therapy, or the induction of analgesia by a person  
9 licensed under this chapter shall be within the scope of practice  
10 authorized: PROVIDED, HOWEVER, That a person licensed to perform  
11 acupuncture under this section shall only do so under the direct  
12 supervision of a licensed osteopathic physician.~~

13 ~~(2) The board shall determine the qualifications of a person  
14 authorized to perform acupuncture under subsection (1) of this section.  
15 In establishing a procedure for certification of such practitioners the  
16 board shall consider a license or certificate which acknowledges that  
17 the person has the qualifications to practice acupuncture issued by the  
18 government of the Republic of China (Taiwan), the Peoples' Republic of  
19 China, British Crown Colony of Hong Kong, Korea, Great Britain, France,  
20 the Federated Republic of Germany (West Germany), Italy, Japan, or any  
21 other country or state which has generally equivalent standards of  
22 practices of acupuncture as determined by the board as evidence of such  
23 qualification.~~

24 ~~(3) As used in this section "acupuncture" means the insertion of  
25 needles into the human body by piercing the skin of the body for the  
26 purpose of relieving pain, treating disease, or to produce analgesia,  
27 or as further defined by rules and regulations of the board.)) Any  
28 physician assistant acupuncturist currently licensed as a physician  
29 assistant may continue to perform acupuncture under the physician  
30 assistant license as long as he or she maintains licensure as a  
31 physician assistant.~~

32 **Sec. 42.** RCW 18.84.020 and 1994 sp.s. c 9 s 505 are each amended  
33 to read as follows:

34 Unless the context clearly requires otherwise, the definitions in  
35 this section apply throughout this chapter.

36 (1) "Department" means the department of health.

37 (2) "Secretary" means the secretary of health.

1 (3) "Licensed practitioner" means any licensed health care  
2 practitioner performing services within the person's authorized scope  
3 of practice.

4 (4) "Radiologic technologist" means an individual certified under  
5 this chapter, other than a licensed practitioner, who practices  
6 radiologic technology as a:

7 (a) Diagnostic radiologic technologist, who is a person who  
8 actually handles x-ray equipment in the process of applying radiation  
9 on a human being for diagnostic purposes at the direction of a licensed  
10 practitioner, this includes parenteral procedures related to radiologic  
11 technology when performed under the direct supervision of a physician  
12 licensed under chapter 18.71 or 18.57 RCW; or

13 (b) Therapeutic radiologic technologist, who is a person who uses  
14 radiation-generating equipment for therapeutic purposes on human  
15 subjects at the direction of a licensed practitioner, this includes  
16 parenteral procedures related to radiologic technology when performed  
17 under the direct supervision of a physician licensed under chapter  
18 18.71 or 18.57 RCW; or

19 (c) Nuclear medicine technologist, who is a person who prepares  
20 radiopharmaceuticals and administers them to human beings for  
21 diagnostic and therapeutic purposes and who performs in vivo and in  
22 vitro detection and measurement of radioactivity for medical purposes  
23 at the direction of a licensed practitioner.

24 (5) "Approved school of radiologic technology" means a school of  
25 radiologic technology approved by the council on medical education of  
26 the American medical association or a school found to maintain the  
27 equivalent of such a course of study as determined by the department.  
28 Such school may be operated by a medical or educational institution,  
29 and for the purpose of providing the requisite clinical experience,  
30 shall be affiliated with one or more general hospitals.

31 (6) "Radiologic technology" means the use of ionizing radiation  
32 upon a human being for diagnostic or therapeutic purposes.

33 (7) "Radiologist" means a physician certified by the American board  
34 of radiology or the American osteopathic board of radiology.

35 (8) "Registered x-ray technician" means a person who is registered  
36 with the department, and who applies ionizing radiation at the  
37 direction of a licensed practitioner and who does not perform  
38 parenteral procedures.

