

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1863

56th Legislature
1999 Regular Session

Passed by the House April 19, 1999
Yea 97 Nays 0

CERTIFICATE

We, Dean R. Foster and Timothy A. Martin, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1863** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

Chief Clerk

President of the Senate

Approved

FILED

Governor of the State of Washington

Secretary of State
State of Washington

HOUSE BILL 1863

AS AMENDED BY THE SENATE

Passed Legislature - 1999 Regular Session

State of Washington 56th Legislature 1999 Regular Session

By Representatives Skinner, Cody, Lovick and Campbell

Read first time 02/09/1999. Referred to Committee on Health Care.

1 AN ACT Relating to compensation for members of part-time health
2 commissions; amending RCW 18.25.0171, 18.32.0361, 18.71.015, and
3 18.79.090; and adding a new section to chapter 43.03 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.03 RCW
6 to read as follows:

7 (1) Any part-time commission that has rule-making authority,
8 performs quasi-judicial functions, has responsibility for the policy
9 direction of a health profession credentialing program, and performs
10 regulatory and licensing functions with respect to a health care
11 profession licensed under Title 18 RCW shall be identified as a class
12 five group for purposes of compensation.

13 (2) Except as otherwise provided in this section, each member of a
14 class five group is eligible to receive compensation in an amount not
15 to exceed two hundred fifty dollars for each day during which the
16 member attends an official meeting of the group or performs statutorily
17 prescribed duties approved by the chairperson of the group. A person
18 shall not receive compensation for a day of service under this section
19 if the person (a) occupies a position, normally regarded as full-time

1 in nature, in any agency of the federal government, Washington state
2 government, or Washington state local government; and (b) receives any
3 compensation from such government for working that day.

4 (3) Compensation may be paid a member under this section only if it
5 is necessarily incurred in the course of authorized business consistent
6 with the responsibilities of the commission established by law.

7 **Sec. 2.** RCW 18.25.0171 and 1994 sp.s. c 9 s 107 are each amended
8 to read as follows:

9 The commission shall elect officers each year. Meetings of the
10 commission are open to the public, except that the commission may hold
11 executive sessions to the extent permitted by chapter 42.30 RCW. The
12 secretary of health shall furnish such secretarial, clerical, and other
13 assistance as the commission may require.

14 Each member of the commission shall be compensated in accordance
15 with ((RCW 43.03.240)) section 1 of this act. Members shall be
16 reimbursed for travel expenses incurred in the actual performance of
17 their duties, as provided in RCW 43.03.050 and 43.03.060.

18 A majority of the commission members appointed and serving
19 constitutes a quorum for the transaction of commission business. The
20 affirmative vote of a majority of a quorum of the commission is
21 required to carry a motion or resolution, to adopt a rule, or to pass
22 a measure.

23 The commission may appoint members of panels of at least three
24 members. A quorum for transaction of any business by a panel is a
25 minimum of three members. A majority vote of a quorum of the panel is
26 required to transact business delegated to it by the commission.

27 The members of the commission are immune from suit in an action,
28 civil or criminal, based upon its disciplinary proceedings or other
29 official acts performed in good faith as members of the commission.

30 The commission may, whenever the workload of the commission
31 requires, request that the secretary appoint pro tempore members.
32 While serving as members pro tempore persons have all the powers,
33 duties, and immunities, and are entitled to the emoluments, including
34 travel expenses, of the commission.

35 The commission shall prepare or determine the nature of the
36 examinations for applicants to practice chiropractic.

1 The commission may adopt such rules as are consistent with this
2 chapter as may be deemed necessary and proper to carry out the purposes
3 of this chapter.

4 **Sec. 3.** RCW 18.32.0361 and 1994 sp.s. c 9 s 208 are each amended
5 to read as follows:

6 Each member of the commission shall be compensated in accordance
7 with ((RCW 43.03.240)) section 1 of this act. Members shall be
8 reimbursed for travel expenses incurred in the actual performance of
9 their duties, as provided in RCW 43.03.050 and 43.03.060. Commission
10 members shall be compensated and reimbursed for their activities in
11 developing or administering a multistate licensing examination, as
12 provided in this chapter.

13 **Sec. 4.** RCW 18.71.015 and 1994 sp.s. c 9 s 303 are each amended to
14 read as follows:

15 The Washington state medical quality assurance commission is
16 established, consisting of thirteen individuals licensed to practice
17 medicine in the state of Washington under this chapter, two individuals
18 who are licensed as physician assistants under chapter 18.71A RCW, and
19 four individuals who are members of the public. Each congressional
20 district now existing or hereafter created in the state must be
21 represented by at least one physician member of the commission. The
22 terms of office of members of the commission are not affected by
23 changes in congressional district boundaries. Public members of the
24 commission may not be a member of any other health care licensing board
25 or commission, or have a fiduciary obligation to a facility rendering
26 health services regulated by the commission, or have a material or
27 financial interest in the rendering of health services regulated by the
28 commission.

29 The members of the commission shall be appointed by the governor.
30 Members of the initial commission may be appointed to staggered terms
31 of one to four years, and thereafter all terms of appointment shall be
32 for four years. The governor shall consider such physician and
33 physician assistant members who are recommended for appointment by the
34 appropriate professional associations in the state. In appointing the
35 initial members of the commission, it is the intent of the legislature
36 that, to the extent possible, the existing members of the board of
37 medical examiners and medical disciplinary board repealed under section

1 336, chapter 9, Laws of 1994 sp. sess. be appointed to the commission.
2 No member may serve more than two consecutive full terms. Each member
3 shall hold office until a successor is appointed.

4 Each member of the commission must be a citizen of the United
5 States, must be an actual resident of this state, and, if a physician,
6 must have been licensed to practice medicine in this state for at least
7 five years.

8 The commission shall meet as soon as practicable after appointment
9 and elect officers each year. Meetings shall be held at least four
10 times a year and at such place as the commission determines and at such
11 other times and places as the commission deems necessary. A majority
12 of the commission members appointed and serving constitutes a quorum
13 for the transaction of commission business.

14 The affirmative vote of a majority of a quorum of the commission is
15 required to carry any motion or resolution, to adopt any rule, or to
16 pass any measure. The commission may appoint panels consisting of at
17 least three members. A quorum for the transaction of any business by
18 a panel is a minimum of three members. A majority vote of a quorum of
19 the panel is required to transact business delegated to it by the
20 commission.

21 Each member of the commission shall be compensated in accordance
22 with ((RCW 43.03.240)) section 1 of this act and in addition thereto
23 shall be reimbursed for travel expenses incurred in carrying out the
24 duties of the commission in accordance with RCW 43.03.050 and
25 43.03.060. Any such expenses shall be paid from funds appropriated to
26 the department of health.

27 Whenever the governor is satisfied that a member of a commission
28 has been guilty of neglect of duty, misconduct, or malfeasance or
29 misfeasance in office, the governor shall file with the secretary of
30 state a statement of the causes for and the order of removal from
31 office, and the secretary shall forthwith send a certified copy of the
32 statement of causes and order of removal to the last known post office
33 address of the member.

34 Vacancies in the membership of the commission shall be filled for
35 the unexpired term by appointment by the governor.

36 The members of the commission are immune from suit in an action,
37 civil or criminal, based on its disciplinary proceedings or other
38 official acts performed in good faith as members of the commission.

1 Whenever the workload of the commission requires, the commission
2 may request that the secretary appoint pro tempore members of the
3 commission. When serving, pro tempore members of the commission have
4 all of the powers, duties, and immunities, and are entitled to all of
5 the emoluments, including travel expenses, of regularly appointed
6 members of the commission.

7 **Sec. 5.** RCW 18.79.090 and 1994 sp.s. c 9 s 409 are each amended to
8 read as follows:

9 Each commission member shall be compensated in accordance with
10 ((RCW 43.03.240)) section 1 of this act and shall be paid travel
11 expenses when away from home in accordance with RCW 43.03.050 and
12 43.03.060.

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