

2SHB 1899 - S COMM AMD

By Committee on Health & Long-Term Care

ADOPTED 04/08/2009

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that increasing the
4 number of retired physicians who provide volunteer health care services
5 is a cost-effective way to improve access to health care for many
6 citizens of this state. Physicians holding a retired active license
7 must currently meet many of the same requirements as physicians in
8 active practice, including at least fifty hours of continuing education
9 a year, despite the fact that retired active physicians may only
10 practice a maximum of ninety days a year, are limited to providing
11 primary care services, and are limited to providing such services only
12 in community clinics that are operated by public or private tax-exempt
13 corporations. This presents both financial and practical barriers for
14 retired physicians who wish to provide health care services on a
15 volunteer basis, barriers that are not as stringent in other states
16 that provide similar licenses for retired physicians. It is therefore
17 the intent of the legislature to ease some of these barriers in a
18 manner that does not adversely affect public safety.

19 **Sec. 2.** RCW 18.71.080 and 1996 c 191 s 52 are each amended to read
20 as follows:

21 Every person licensed to practice medicine in this state shall pay
22 licensing fees and renew his or her license in accordance with
23 administrative procedures and administrative requirements adopted as
24 provided in RCW 43.70.250 and 43.70.280. A physician who resides and
25 practices in Washington and obtains or renews a retired active license
26 shall be exempt from licensing fees imposed under this section. The
27 commission may establish rules governing mandatory continuing education
28 requirements which shall be met by physicians applying for renewal of
29 licenses. The rules shall provide that mandatory continuing education

1 requirements may be met in part by physicians showing evidence of the
2 completion of approved activities relating to professional liability
3 risk management. The number of hours of continuing education for a
4 physician holding a retired active license shall not exceed fifty hours
5 per year. The commission, in its sole discretion, may permit an
6 applicant who has not renewed his or her license to be licensed without
7 examination if it is satisfied that such applicant meets all the
8 requirements for licensure in this state, and is competent to engage in
9 the practice of medicine.

10 **Sec. 3.** RCW 18.130.250 and 1991 c 229 s 1 are each amended to read
11 as follows:

12 The disciplining authority may adopt rules pursuant to this section
13 authorizing a retired active license status. An individual
14 credentialed by a disciplining authority regulated in the state under
15 RCW 18.130.040, who is practicing only in emergent or intermittent
16 circumstances as defined by rule established by the disciplining
17 authority, may hold a retired active license at a reduced renewal fee
18 established by the secretary under RCW 43.70.250 or, for a physician
19 regulated pursuant to chapter 18.71 RCW who resides and practices in
20 Washington and holds a retired active license, at no renewal fee.
21 Except as provided in RCW 18.71.080, such a license shall meet the
22 continuing education or continued competency requirements, if any,
23 established by the disciplining authority for renewals, and is subject
24 to the provisions of this chapter. Individuals who have entered into
25 retired status agreements with the disciplinary authority in any
26 jurisdiction shall not qualify for a retired active license under this
27 section.

28 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.71 RCW
29 to read as follows:

30 (1) The commission shall consider amending its rules on retired
31 active physicians in a manner that improves access to health care
32 services for the citizens of this state without compromising public
33 safety. When considering whether to amend its rules, the commission
34 shall, at a minimum, consider the following:

35 (a) Whether physicians holding retired active licenses should be
36 allowed to provide health care services beyond primary care;

1 (b) Whether physicians holding retired active licenses should be
2 allowed to provide health care services in settings beyond community
3 clinics operated by public or private tax-exempt corporations; and

4 (c) The number and type of continuing education hours that
5 physicians holding retired active licenses shall be required to obtain.

6 (2) The commission shall determine whether it will amend its rules
7 in the manner suggested by this section no later than November 15,
8 2009. If the commission determines that it will not amend its rules,
9 it shall provide a written explanation of its decision to the
10 appropriate committees of the legislature no later than December 1,
11 2009.

12 **Sec. 5.** RCW 43.70.110 and 2007 c 259 s 11 are each amended to read
13 as follows:

14 (1) The secretary shall charge fees to the licensee for obtaining
15 a license. Physicians regulated pursuant to chapter 18.71 RCW who
16 reside and practice in Washington and obtain or renew a retired active
17 license are exempt from such fees. After June 30, 1995, municipal
18 corporations providing emergency medical care and transportation
19 services pursuant to chapter 18.73 RCW shall be exempt from such fees,
20 provided that such other emergency services shall only be charged for
21 their pro rata share of the cost of licensure and inspection, if
22 appropriate. The secretary may waive the fees when, in the discretion
23 of the secretary, the fees would not be in the best interest of public
24 health and safety, or when the fees would be to the financial
25 disadvantage of the state.

26 (2) Except as provided in subsection (3) of this section, fees
27 charged shall be based on, but shall not exceed, the cost to the
28 department for the licensure of the activity or class of activities and
29 may include costs of necessary inspection.

30 (3) License fees shall include amounts in addition to the cost of
31 licensure activities in the following circumstances:

32 (a) For registered nurses and licensed practical nurses licensed
33 under chapter 18.79 RCW, support of a central nursing resource center
34 as provided in RCW 18.79.202, until June 30, 2013;

35 (b) For all health care providers licensed under RCW 18.130.040,
36 the cost of regulatory activities for retired volunteer medical worker
37 licensees as provided in RCW 18.130.360; and

1 (c) For physicians licensed under chapter 18.71 RCW, physician
2 assistants licensed under chapter 18.71A RCW, osteopathic physicians
3 licensed under chapter 18.57 RCW, osteopathic physicians' assistants
4 licensed under chapter 18.57A RCW, naturopaths licensed under chapter
5 18.36A RCW, podiatrists licensed under chapter 18.22 RCW, chiropractors
6 licensed under chapter 18.25 RCW, psychologists licensed under chapter
7 18.83 RCW, registered nurses licensed under chapter 18.79 RCW,
8 optometrists licensed under chapter 18.53 RCW, mental health counselors
9 licensed under chapter 18.225 RCW, massage therapists licensed under
10 chapter 18.108 RCW, clinical social workers licensed under chapter
11 18.225 RCW, and acupuncturists licensed under chapter 18.06 RCW, the
12 license fees shall include up to an additional twenty-five dollars to
13 be transferred by the department to the University of Washington for
14 the purposes of RCW 43.70.112.

15 (4) Department of health advisory committees may review fees
16 established by the secretary for licenses and comment upon the
17 appropriateness of the level of such fees."

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18 On page 1, line 1 of the title, after "license;" strike the
19 remainder of the title and insert "amending RCW 18.71.080, 18.130.250,
20 and 43.70.110; adding a new section to chapter 18.71 RCW; and creating
21 a new section."

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