H-3160.1

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**HOUSE BILL 2313**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Representatives Cody, Schmick, Caldier, Appleton, Pollet, and Dolan

AN ACT Relating to providing the chiropractic quality assurance commission with additional authority over budget development, spending, and staffing; and amending RCW 18.25.210.

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

**Sec.**  RCW 18.25.210 and 2013 c 81 s 1 are each amended to read as follows:

(1) The ((~~commission may conduct a pilot project to evaluate the effect of granting the commission additional authority over budget development, spending, and staffing. If the commission intends to conduct a pilot project, it must provide a notice in writing to the secretary by July 1, 2013. If the commission chooses to conduct a pilot project, the pilot project shall begin on July 1, 2013, and conclude on June 30, 2018.~~

~~(2) The pilot project shall include the following provisions:~~

~~(a) That the~~)) secretary shall employ an executive director that is:

((~~(i)~~)) (a) Hired by and serves at the pleasure of the commission;

((~~(ii)~~)) (b) Exempt from the provisions of the civil service law, chapter 41.06 RCW and whose salary is established by the commission in accordance with RCW 43.03.028; and

((~~(iii)~~)) (c) Responsible for performing all administrative duties of the commission, including preparing an annual budget, and any other duties as delegated to the executive director by the commission((~~;~~)).

((~~(b)~~)) (2) Consistent with the budgeting and accounting act((~~:~~

~~(i) With regard to budget for the remainder of the 2013-2015 biennium, the commission has authority to spend the remaining funds allocated with respect to chiropractors licensed under this chapter; and~~

~~(ii) Beginning with the 2015-2017 biennium~~)), the commission is responsible for proposing its own biennial budget which the secretary must submit to the office of financial management((~~;~~)).

((~~(c) That,~~)) (3) Prior to adopting credentialing fees under RCW 43.70.250, the secretary shall collaborate with the commission to determine the appropriate fees necessary to support the activities of the commission((~~;~~)).

((~~(d) That,~~)) (4) Prior to the secretary exercising the secretary's authority to adopt uniform rules and guidelines, or any other actions that might impact the licensing or disciplinary authority of the commission, the secretary shall first meet with the commission to determine how those rules or guidelines, or changes to rules or guidelines, might impact the commission's ability to effectively carry out its statutory duties. If the commission, in consultation with the secretary, determines that the proposed rules or guidelines, or changes to existing rules or guidelines, will negatively impact the commission's ability to effectively carry out its statutory duties, then the individual commission shall collaborate with the secretary to develop alternative solutions to mitigate the impacts. If an alternative solution cannot be reached, the parties may resolve the dispute through a mediator as set forth in ((~~(f) of this~~)) subsection((~~;~~)) (6) of this section.

((~~(e) That~~)) (5) The commission shall negotiate with the secretary to develop performance-based expectations, including identification of key performance measures. The performance expectations should focus on consistent, timely regulation of health care professionals((~~; and~~)).

((~~(f) That~~)) (6) In the event there is a disagreement between the commission and the secretary, that is unable to be resolved through negotiation, a representative of both parties shall agree on the designation of a third party to mediate the dispute.

((~~(3) By December 15, 2017, the secretary and the commission shall report to the governor and the legislature on the results of the pilot project. The report shall:~~

~~(a) Compare the effectiveness of licensing and disciplinary activities of the commission during the pilot project with the licensing and disciplinary activities of the commission prior to the pilot project and the disciplinary activities of other disciplining authorities during the same time period as the pilot project;~~

~~(b) Compare the efficiency of the commission with respect to the timeliness and personnel resources during the pilot project to the efficiency of the commission prior to the pilot project and the efficiency of other disciplining authorities during the same period as the pilot project;~~

~~(c) Compare the budgetary activity of the commission during the pilot project to the budgetary activity of the commission prior to the pilot project and to the budgetary activity of other disciplining authorities during the same period as the pilot project;~~

~~(d) Evaluate the commission's regulatory activities, including timelines, consistency of decision making, and performance levels in comparison to other disciplining authorities; and~~

~~(e) Review summaries of national research and data regarding regulatory effectiveness and patient safety.~~

~~(4)~~)) (7) The secretary shall employ staff that are hired and managed by the executive director provided that nothing contained in this section may be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement.

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