

HOUSE BILL REPORT

HB 2257

As Passed Legislature

Title: An act relating to prohibiting maintenance of certification from being required for certain health professions.

Brief Description: Prohibiting maintenance of certification from being required for certain health professions.

Sponsors: Representatives McBride, Stokesbary, Graves, Rodne, Macri, Jinkins and Doglio.

Brief History:

Committee Activity:

Health Care & Wellness: 1/10/18, 1/17/18 [DP].

Floor Activity:

Passed House: 1/29/18, 95-0.

Passed Senate: 3/2/18, 47-0.

Passed Legislature.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Prohibits the Medical Quality Assurance Commission and Board of Osteopathic Medicine and Surgery from requiring physicians and osteopathic physicians to obtain or Maintenance of Certification as a condition of licensure or renewal.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: Do pass. Signed by 17 members: Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier, Clibborn, DeBolt, Harris, Jinkins, MacEwen, Maycumber, Riccelli, Robinson, Rodne, Slatter, Stonier and Tharinger.

Staff: Kim Weidenaar (786-7120).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Medical Quality Assurance Commission (Medical Commission) establishes the qualifications for allopathic physician licensure, and enforces consistent standards of practice and continuing competency. To be eligible for a license to practice medicine, an applicant must have graduated from an approved medical school, have completed two years of postgraduate medical training, be of good moral character, be physically and mentally capable of safely practicing medicine, and successfully complete an examination.

Osteopathic physicians are licensed to practice osteopathic medicine by the Board of Osteopathic Medicine and Surgery (Osteopathic Board). To be eligible for a license to practice osteopathic medicine and surgery, an applicant must have graduated from an accredited school of osteopathic medicine and surgery, have completed at least one year of postgraduate training, not have engaged in unprofessional conduct, be physically and mentally capable of safely practicing medicine, and successfully complete an examination.

Board Certification is the process of examining and certifying the qualifications of a physician for a specific specialty through the American Board of Medical Specialties (ABMS) and its 24 member specialty boards, the American Osteopathic Association Bureau of Osteopathic Specialists' 18 specialty boards, and other certifying agencies. Board certification can be maintained at periodic intervals through the Maintenance of Certification (MOC) process, which is a process recently implemented by the certifying agencies.

Osteopathic and Allopathic physicians are not required to obtain board certification or MOC to become licensed or to renew their license.

Allopathic physicians are required to renew their license every two years. Medical Commission rules require licensed physicians to complete one of four requirements in order to satisfy maintenance of licensure every four years. One method to satisfy maintenance of licensure is to meet the requirements for participation in MOC of a member board of the AMBS at the time of renewal.

Osteopathic physicians must renew their license every year. Osteopathic Board rules require osteopathic physicians to complete 150 hours of continuing education every three years. Board certification or MOC within the previous six years by a specialty board satisfies compliance with the continuing education requirement.

Summary of Bill:

The Medical Quality Assurance Commission (Medical Commission) and Board of Osteopathic Medicine and Surgery (Osteopathic Board) are prohibited from requiring physicians or osteopathic physicians to obtain or maintain maintenance of certification (MOC) as a condition of licensure or renewal. The Medical Commission and Osteopathic Board can continue to allow a physician or osteopathic physician to fulfil license renewal and continuing education requirements through MOC.

The prohibition against requiring MOC does not apply to certain orders and dispositions made by the Medical Commission or Osteopathic Board under the Uniform Disciplinary Act, which may require board certification or MOC. These include:

- a stipulation or informal disposition between the Medical Commission or Osteopathic Board and the licensee prior to serving a statement of charges to the licensee;
- an order issued to resolve a statement of charges;
- an order issued upon finding the licensee has committed unprofessional conduct or is unable to practice with reasonable skill and safety due to a physical or mental condition; and
- a reinstatement of a suspended license.

The MOC is defined as the satisfactory participation in a formal recertification program to maintain board certification after initial certification from the American Board of Medical Specialties, American Osteopathic Association Bureau of Osteopathic Specialists, or other accrediting organizations that the Medical Commission or Osteopathic Board recognizes.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Maintenance of Certification (MOC) is a controversial process. Proponents argue the process is voluntary, while critics state that it is burdensome, expensive, time consuming, and clinically irrelevant. Presently there is a disagreement as to whether there is any valid evidence that MOC accomplishes its stated goals. This bill does not address the worthiness of MOC, but rather affirms current practice. Some may feel that this bill does not go far enough, but it is a positive first step in affirming and making clear that MOC is not required for medical licensure.

(Opposed) None.

Persons Testifying: Representative McBride, prime sponsor; and Katie Kolan, Washington State Medical Association.

Persons Signed In To Testify But Not Testifying: None.