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SENATE BILL 6156

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State of Washington

65th Legislature

2018 Regular Session

By Senators Cleveland, Short, Kuderer, Walsh, Fain, Conway, and Keiser

Read first time 01/10/18. Referred to Committee on Health & Long Term Care.

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

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

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

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

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

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

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

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

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

5       ~~((b))~~ (2) Consistent with the budgeting and accounting act~~((+~~  
6 ~~(i)~~ ~~With regard to budget for the remainder of the 2013-2015~~  
7 ~~biennium, the commission has authority to spend the remaining funds~~  
8 ~~allocated with respect to chiropractors licensed under this chapter;~~  
9 ~~and~~

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

13       ~~((c) That,)~~ (3) Prior to adopting credentialing fees under RCW  
14 43.70.250, the secretary shall collaborate with the commission to  
15 determine the appropriate fees necessary to support the activities of  
16 the commission~~((+))~~.

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

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

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

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

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

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

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

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

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

23       ~~(4))~~ (7) The secretary shall employ staff that are hired and  
24 managed by the executive director provided that nothing contained in  
25 this section may be construed to alter any existing collective  
26 bargaining unit or the provisions of any existing collective  
27 bargaining agreement.

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