

CERTIFICATION OF ENROLLMENT

SENATE BILL 5184

68th Legislature
2024 Regular Session

Passed by the Senate March 4, 2024
Yeas 40 Nays 9

President of the Senate

Passed by the House February 29, 2024
Yeas 82 Nays 14

**Speaker of the House of
Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5184** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SENATE BILL 5184

AS AMENDED BY THE HOUSE

Passed Legislature - 2024 Regular Session

State of Washington 68th Legislature 2023 Regular Session

By Senators Rivers, Cleveland, Braun, Dhingra, Mullet, Muzzall, and Rolfes

Prefiled 01/06/23. Read first time 01/09/23. Referred to Committee on Health & Long Term Care.

1 AN ACT Relating to licensure of anesthesiologist assistants;
2 reenacting and amending RCW 18.130.040 and 18.120.020; and adding a
3 new chapter to Title 18 RCW.

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

5 NEW SECTION. **Sec. 1.** The definitions in this section apply
6 throughout this chapter unless the context clearly requires
7 otherwise.

8 (1) "Anesthesiologist" means an actively practicing, board-
9 eligible physician licensed under chapter 18.71, 18.71B, or 18.57 RCW
10 who has completed a residency or equivalent training in
11 anesthesiology.

12 (2) "Anesthesiologist assistant" means a person who is licensed
13 by the commission to assist in developing and implementing anesthesia
14 care plans for patients under the supervision of an anesthesiologist
15 or group of anesthesiologists approved by the commission to supervise
16 such assistant.

17 (3) "Assists" means the anesthesiologist assistant personally
18 performs those duties and responsibilities delegated by the
19 anesthesiologist. Delegated services must be consistent with the
20 delegating anesthesiologist's education, training, experience, and
21 active practice. Delegated services must be of the type that a

1 reasonable and prudent anesthesiologist would find within the scope
2 of sound medical judgment to delegate.

3 (4) "Commission" means the Washington medical commission.

4 (5) "Practice medicine" has the meaning defined in RCW 18.71.011.

5 (6) "Secretary" means the secretary of health or the secretary's
6 designee.

7 (7) "Supervision" means the immediate availability of the
8 medically directing anesthesiologist for consultation and direction
9 of the activities of the anesthesiologist assistant. A medically
10 directing anesthesiologist is immediately available if they are in
11 physical proximity that allows the anesthesiologist to reestablish
12 direct contact with the patient to meet medical needs and any urgent
13 or emergent clinical problems, and personally participating in the
14 most demanding procedures of the anesthesia plan including, if
15 applicable, induction and emergence. These responsibilities may also
16 be met through coordination among anesthesiologists of the same group
17 or department.

18 NEW SECTION. **Sec. 2.** (1) The commission shall adopt rules
19 fixing the qualifications and the educational and training
20 requirements for licensure as an anesthesiologist assistant. The
21 requirements shall include completion of an anesthesiologist
22 assistant program accredited by the commission on accreditation of
23 allied health education programs, or successor organization, and
24 within one year successfully taking and passing an examination
25 administered by the national commission for the certification of
26 anesthesiologist assistants or other examination approved by the
27 commission.

28 (2) Applicants for licensure shall file an application with the
29 commission on a form prepared by the secretary with the approval of
30 the commission, detailing the education, training, and experience of
31 the applicant and such other information as the commission may
32 require. The application shall be accompanied by a fee determined by
33 the secretary as provided in RCW 43.70.250 and 43.70.280. Each
34 applicant shall furnish proof satisfactory to the commission of the
35 following:

36 (a) That the applicant has completed an accredited
37 anesthesiologist assistant program approved by the commission and is
38 eligible to take the examination approved by the commission; and

1 (b) That the applicant is physically and mentally capable of
2 practicing as an anesthesiologist assistant with reasonable skill and
3 safety. The commission may require an applicant to submit to such
4 examination or examinations as it deems necessary to determine an
5 applicant's physical or mental capability, or both, to safely
6 practice as an anesthesiologist assistant.

7 (3) (a) The commission may approve, deny, or take other
8 disciplinary action upon the application for a license as provided in
9 the uniform disciplinary act, chapter 18.130 RCW.

10 (b) The license shall be renewed as determined under RCW
11 43.70.250 and 43.70.280. The commission shall request licensees to
12 submit information about their current professional practice at the
13 time of license renewal and licensees must provide the information
14 requested.

15 (4) No person shall practice as an anesthesiologist assistant or
16 represent that they are a "certified anesthesiologist assistant" or
17 "anesthesiologist assistant" or "C.A.A." or "A.A." without a license
18 granted by the commission.

19 NEW SECTION. **Sec. 3.** (1) The commission shall adopt rules
20 establishing the requirements and limitations on the practice by and
21 supervision of anesthesiologist assistants, including the number of
22 anesthesiologist assistants an anesthesiologist may supervise
23 concurrently. Unless approved by the commission, an anesthesiologist
24 may not concurrently supervise more than four specific, individual
25 anesthesiologist assistants at any one time.

26 (2) The commission may adopt rules for the arrangement of other
27 anesthesiologists to serve as backup or on-call supervising
28 anesthesiologists for multiple anesthesiologist assistants.

29 NEW SECTION. **Sec. 4.** (1) An anesthesiologist assistant may not
30 exceed the scope of their supervising anesthesiologist's practice and
31 may assist with those duties and responsibilities delegated to them
32 by the supervising anesthesiologist, and for which they are competent
33 to assist with based on their education, training, and experience.
34 Duties which an anesthesiologist may delegate to an anesthesiologist
35 assistant include but are not limited to:

36 (a) Assisting with preoperative anesthetic evaluations,
37 postoperative anesthetic evaluations, and patient progress notes, all
38 to be cosigned by the supervising anesthesiologist within 24 hours;

- 1 (b) Administering and assisting with preoperative consultations;
- 2 (c) Under the supervising anesthesiologist's consultation and
3 direction, order perioperative pharmaceutical agents, medications,
4 and fluids, to be used only at the facility where ordered, including
5 but not limited to controlled substances, which may be administered
6 prior to the cosignature of the supervising anesthesiologist. The
7 supervising anesthesiologist may review and if required by the
8 facility or institutional policy must cosign these orders in a timely
9 manner;
- 10 (d) Changing or discontinuing a medical treatment plan, after
11 consultation with the supervising anesthesiologist;
- 12 (e) Calibrating anesthesia delivery systems and obtaining and
13 interpreting information from the systems and monitors, in
14 consultation with an anesthesiologist;
- 15 (f) Assisting the supervising anesthesiologist with the
16 implementation of medically accepted monitoring techniques;
- 17 (g) Assisting with basic and advanced airway interventions,
18 including but not limited to endotracheal intubation, laryngeal mask
19 insertion, and other advanced airways techniques;
- 20 (h) Establishing peripheral intravenous lines, including
21 subcutaneous lidocaine use;
- 22 (i) Establishing radial and dorsalis pedis arterial lines;
- 23 (j) Assisting with general anesthesia, including induction,
24 maintenance, and emergence;
- 25 (k) Assisting with procedures associated with general anesthesia,
26 such as but not limited to gastric intubation;
- 27 (l) Administering intermittent vasoactive drugs and starting and
28 titrating vasoactive infusions for the treatment of patient responses
29 to anesthesia;
- 30 (m) Assisting with spinal and intravenous regional anesthesia;
- 31 (n) Maintaining and managing established neuraxial epidurals and
32 regional anesthesia;
- 33 (o) Assisting with monitored anesthesia care;
- 34 (p) Evaluating and managing patient controlled analgesia,
35 epidural catheters, and peripheral nerve catheters;
- 36 (q) Obtaining venous and arterial blood samples;
- 37 (r) Assisting with, ordering, and interpreting appropriate
38 preoperative, point of care, intraoperative, or postoperative
39 diagnostic tests or procedures as authorized by the supervising
40 anesthesiologist;

1 (s) Obtaining and administering perioperative anesthesia and
2 related pharmaceutical agents including intravenous fluids and blood
3 products;

4 (t) Participating in management of the patient while in the
5 preoperative suite and recovery area;

6 (u) Providing assistance to a cardiopulmonary resuscitation team
7 in response to a life-threatening situation;

8 (v) Participating in administrative, research, and clinical
9 teaching activities as authorized by the supervising
10 anesthesiologist; and

11 (w) Assisting with such other tasks not prohibited by law under
12 the supervision of a licensed anesthesiologist that an
13 anesthesiologist assistant has been trained and is proficient to
14 assist with.

15 (2) Nothing in this section shall be construed to prevent an
16 anesthesiologist assistant from having access to and being able to
17 obtain drugs as directed by the supervising anesthesiologist. An
18 anesthesiologist assistant may not prescribe, order, compound, or
19 dispense drugs, medications, or devices of any kind.

20 NEW SECTION. **Sec. 5.** No anesthesiologist who supervises a
21 licensed anesthesiologist assistant in accordance with and within the
22 terms of any permission granted by the commission is considered as
23 aiding and abetting an unlicensed person to practice medicine. The
24 supervising anesthesiologist and anesthesiologist assistant shall
25 retain professional and personal responsibility for any act which
26 constitutes the practice of medicine as defined in RCW 18.71.011 when
27 performed by the anesthesiologist assistant.

28 NEW SECTION. **Sec. 6.** An anesthesiologist assistant may sign and
29 attest to any certificates, cards, forms, or other required
30 documentation that the anesthesiologist assistant's supervising
31 anesthesiologist may sign, provided that it is within the
32 anesthesiologist assistant's scope of practice.

33 NEW SECTION. **Sec. 7.** (1) The uniform disciplinary act, chapter
34 18.130 RCW, governs the issuance and denial of licenses and the
35 discipline of licensees under this chapter.

36 (2) The commission shall consult with the board of osteopathic
37 medicine and surgery when investigating allegations of unprofessional

1 conduct against a licensee who has a supervising anesthesiologist
2 license under chapter 18.57 RCW.

3 **Sec. 8.** RCW 18.130.040 and 2023 c 469 s 18, 2023 c 460 s 15,
4 2023 c 425 s 27, 2023 c 270 s 14, 2023 c 175 s 11, and 2023 c 123 s
5 21 are each reenacted and amended to read as follows:

6 (1) This chapter applies only to the secretary and the boards and
7 commissions having jurisdiction in relation to the professions
8 licensed under the chapters specified in this section. This chapter
9 does not apply to any business or profession not licensed under the
10 chapters specified in this section.

11 (2)(a) The secretary has authority under this chapter in relation
12 to the following professions:

13 (i) Dispensing opticians licensed and designated apprentices
14 under chapter 18.34 RCW;

15 (ii) Midwives licensed under chapter 18.50 RCW;

16 (iii) Ocularists licensed under chapter 18.55 RCW;

17 (iv) Massage therapists and businesses licensed under chapter
18 18.108 RCW;

19 (v) Dental hygienists licensed under chapter 18.29 RCW;

20 (vi) Acupuncturists or acupuncture and Eastern medicine
21 practitioners licensed under chapter 18.06 RCW;

22 (vii) Radiologic technologists certified and X-ray technicians
23 registered under chapter 18.84 RCW;

24 (viii) Respiratory care practitioners licensed under chapter
25 18.89 RCW;

26 (ix) Hypnotherapists registered, agency affiliated counselors
27 registered, certified, or licensed, and advisors and counselors
28 certified under chapter 18.19 RCW;

29 (x) Persons licensed as mental health counselors, mental health
30 counselor associates, marriage and family therapists, marriage and
31 family therapist associates, social workers, social work associates—
32 advanced, and social work associates—independent clinical under
33 chapter 18.225 RCW;

34 (xi) Persons registered as nursing pool operators under chapter
35 18.52C RCW;

36 (xii) Nursing assistants registered or certified or medication
37 assistants endorsed under chapter 18.88A RCW;

38 (xiii) Dietitians and nutritionists certified under chapter
39 18.138 RCW;

1 (xiv) Substance use disorder professionals, substance use
2 disorder professional trainees, or co-occurring disorder specialists
3 certified under chapter 18.205 RCW;

4 (xv) Sex offender treatment providers and certified affiliate sex
5 offender treatment providers certified under chapter 18.155 RCW;

6 (xvi) Persons licensed and certified under chapter 18.73 RCW or
7 RCW 18.71.205;

8 (xvii) Orthotists and prosthetists licensed under chapter 18.200
9 RCW;

10 (xviii) Surgical technologists registered under chapter 18.215
11 RCW;

12 (xix) Recreational therapists under chapter 18.230 RCW;

13 (xx) Animal massage therapists certified under chapter 18.240
14 RCW;

15 (xxi) Athletic trainers licensed under chapter 18.250 RCW;

16 (xxii) Home care aides certified under chapter 18.88B RCW;

17 (xxiii) Genetic counselors licensed under chapter 18.290 RCW;

18 (xxiv) Reflexologists certified under chapter 18.108 RCW;

19 (xxv) Medical assistants-certified, medical assistants-
20 hemodialysis technician, medical assistants-phlebotomist, forensic
21 phlebotomist, and medical assistants-registered certified and
22 registered under chapter 18.360 RCW;

23 (xxvi) Behavior analysts, assistant behavior analysts, and
24 behavior technicians under chapter 18.380 RCW;

25 (xxvii) Birth douglas certified under chapter 18.47 RCW;

26 (xxviii) Music therapists licensed under chapter 18.233 RCW;

27 (xxix) Behavioral health support specialists certified under
28 chapter 18.227 RCW; and

29 (xxx) Certified peer specialists and certified peer specialist
30 trainees under chapter 18.420 RCW.

31 (b) The boards and commissions having authority under this
32 chapter are as follows:

33 (i) The podiatric medical board as established in chapter 18.22
34 RCW;

35 (ii) The chiropractic quality assurance commission as established
36 in chapter 18.25 RCW;

37 (iii) The dental quality assurance commission as established in
38 chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW,
39 licenses and registrations issued under chapter 18.260 RCW, licenses

1 issued under chapter 18.265 RCW, and certifications issued under
2 chapter 18.350 RCW;

3 (iv) The board of hearing and speech as established in chapter
4 18.35 RCW;

5 (v) The board of examiners for nursing home administrators as
6 established in chapter 18.52 RCW;

7 (vi) The optometry board as established in chapter 18.54 RCW
8 governing licenses issued under chapter 18.53 RCW;

9 (vii) The board of osteopathic medicine and surgery as
10 established in chapter 18.57 RCW governing licenses issued under
11 chapter 18.57 RCW;

12 (viii) The pharmacy quality assurance commission as established
13 in chapter 18.64 RCW governing licenses issued under chapters 18.64
14 and 18.64A RCW;

15 (ix) The Washington medical commission as established in chapter
16 18.71 RCW governing licenses and registrations issued under chapters
17 18.71 ~~((and))~~, 18.71A ((RCW)), and 18.--- RCW (the new chapter
18 created in section 10 of this act);

19 (x) The board of physical therapy as established in chapter 18.74
20 RCW;

21 (xi) The board of occupational therapy practice as established in
22 chapter 18.59 RCW;

23 (xii) The board of nursing as established in chapter 18.79 RCW
24 governing licenses and registrations issued under that chapter and
25 under chapter 18.80 RCW;

26 (xiii) The examining board of psychology and its disciplinary
27 committee as established in chapter 18.83 RCW;

28 (xiv) The veterinary board of governors as established in chapter
29 18.92 RCW;

30 (xv) The board of naturopathy established in chapter 18.36A RCW,
31 governing licenses and certifications issued under that chapter; and

32 (xvi) The board of denturists established in chapter 18.30 RCW.

33 (3) In addition to the authority to discipline license holders,
34 the disciplining authority has the authority to grant or deny
35 licenses. The disciplining authority may also grant a license subject
36 to conditions.

37 (4) All disciplining authorities shall adopt procedures to ensure
38 substantially consistent application of this chapter, the uniform
39 disciplinary act, among the disciplining authorities listed in
40 subsection (2) of this section.

1 **Sec. 9.** RCW 18.120.020 and 2023 c 460 s 14 and 2023 c 175 s 9
2 are each reenacted and amended to read as follows:

3 The definitions in this section apply throughout this chapter
4 unless the context clearly requires otherwise.

5 (1) "Applicant group" includes any health professional group or
6 organization, any individual, or any other interested party which
7 proposes that any health professional group not presently regulated
8 be regulated or which proposes to substantially increase the scope of
9 practice of the profession.

10 (2) "Certificate" and "certification" mean a voluntary process by
11 which a statutory regulatory entity grants recognition to an
12 individual who (a) has met certain prerequisite qualifications
13 specified by that regulatory entity, and (b) may assume or use
14 "certified" in the title or designation to perform prescribed health
15 professional tasks.

16 (3) "Grandfather clause" means a provision in a regulatory
17 statute applicable to practitioners actively engaged in the regulated
18 health profession prior to the effective date of the regulatory
19 statute which exempts the practitioners from meeting the prerequisite
20 qualifications set forth in the regulatory statute to perform
21 prescribed occupational tasks.

22 (4) "Health professions" means and includes the following health
23 and health-related licensed or regulated professions and occupations:
24 Podiatric medicine and surgery under chapter 18.22 RCW; chiropractic
25 under chapter 18.25 RCW; dental hygiene under chapter 18.29 RCW;
26 dentistry under chapter 18.32 RCW; denturism under chapter 18.30 RCW;
27 dental anesthesia assistants under chapter 18.350 RCW; dispensing
28 opticians under chapter 18.34 RCW; hearing instruments under chapter
29 18.35 RCW; naturopaths under chapter 18.36A RCW; embalming and
30 funeral directing under chapter 18.39 RCW; midwifery under chapter
31 18.50 RCW; nursing home administration under chapter 18.52 RCW;
32 optometry under chapters 18.53 and 18.54 RCW; ocularists under
33 chapter 18.55 RCW; osteopathic medicine and surgery under chapter
34 18.57 RCW; pharmacy under chapters 18.64 and 18.64A RCW; medicine
35 under chapters 18.71 and 18.71A RCW; emergency medicine under chapter
36 18.73 RCW; physical therapy under chapter 18.74 RCW; practical nurses
37 under chapter 18.79 RCW; psychologists under chapter 18.83 RCW;
38 registered nurses under chapter 18.79 RCW; occupational therapists
39 licensed under chapter 18.59 RCW; respiratory care practitioners
40 licensed under chapter 18.89 RCW; veterinarians and veterinary

1 technicians under chapter 18.92 RCW; massage therapists under chapter
2 18.108 RCW; acupuncturists or acupuncture and Eastern medicine
3 practitioners licensed under chapter 18.06 RCW; persons registered
4 under chapter 18.19 RCW; persons licensed as mental health
5 counselors, marriage and family therapists, and social workers under
6 chapter 18.225 RCW; dietitians and nutritionists certified by chapter
7 18.138 RCW; radiologic technicians under chapter 18.84 RCW; nursing
8 assistants registered or certified under chapter 18.88A RCW;
9 reflexologists certified under chapter 18.108 RCW; medical
10 assistants-certified, medical assistants-hemodialysis technician,
11 medical assistants-phlebotomist, forensic phlebotomist, and medical
12 assistants-registered certified and registered under chapter 18.360
13 RCW; licensed behavior analysts, licensed assistant behavior
14 analysts, and certified behavior technicians under chapter 18.380
15 RCW; music therapists licensed under chapter 18.233 RCW; ~~((and))~~
16 dental therapists licensed under chapter 18.265 RCW; and
17 anesthesiologist assistants licensed under chapter 18.--- RCW (the
18 new chapter created in section 10 of this act).

19 (5) "Inspection" means the periodic examination of practitioners
20 by a state agency in order to ascertain whether the practitioners'
21 occupation is being carried out in a fashion consistent with the
22 public health, safety, and welfare.

23 (6) "Legislative committees of reference" means the standing
24 legislative committees designated by the respective rules committees
25 of the senate and house of representatives to consider proposed
26 legislation to regulate health professions not previously regulated.

27 (7) "License," "licensing," and "licensure" mean permission to
28 engage in a health profession which would otherwise be unlawful in
29 the state in the absence of the permission. A license is granted to
30 those individuals who meet prerequisite qualifications to perform
31 prescribed health professional tasks and for the use of a particular
32 title.

33 (8) "Practitioner" means an individual who (a) has achieved
34 knowledge and skill by practice, and (b) is actively engaged in a
35 specified health profession.

36 (9) "Professional license" means an individual, nontransferable
37 authorization to carry on a health activity based on qualifications
38 which include: (a) Graduation from an accredited or approved program,
39 and (b) acceptable performance on a qualifying examination or series
40 of examinations.

1 (10) "Public member" means an individual who is not, and never
2 was, a member of the health profession being regulated or the spouse
3 of a member, or an individual who does not have and never has had a
4 material financial interest in either the rendering of the health
5 professional service being regulated or an activity directly related
6 to the profession being regulated.

7 (11) "Registration" means the formal notification which, prior to
8 rendering services, a practitioner shall submit to a state agency
9 setting forth the name and address of the practitioner; the location,
10 nature and operation of the health activity to be practiced; and, if
11 required by the regulatory entity, a description of the service to be
12 provided.

13 (12) "Regulatory entity" means any board, commission, agency,
14 division, or other unit or subunit of state government which
15 regulates one or more professions, occupations, industries,
16 businesses, or other endeavors in this state.

17 (13) "State agency" includes every state office, department,
18 board, commission, regulatory entity, and agency of the state, and,
19 where provided by law, programs and activities involving less than
20 the full responsibility of a state agency.

21 NEW SECTION. **Sec. 10.** Sections 1 through 7 of this act
22 constitute a new chapter in Title 18 RCW.

--- END ---