

**WAC 246-562-010 Definitions.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise:

(1) "Applicant" means an entity with an active Washington state business license, physically located in Washington state, that has provided health care services for a minimum of 12 months and seeks to employ a physician at a Washington state practice location(s) and is requesting the department to provide a favorable recommendation to accompany their J-1 visa waiver application.

(2) "Board eligible" means having satisfied the requirements necessary to sit for board examinations.

(3) "Department" means the Washington state department of health.

(4) "Direct patient care" means providing care to patients for the purpose of prevention, diagnosis, treatment, and monitoring of disease, illness, or disability.

(5) "Employment contract" means a legally binding agreement between the applicant and the physician named in the visa waiver application that contains all terms and conditions of employment including, but not limited to, the salary, benefits, length of employment and any other consideration owing under the agreement.

(6) "Flex waiver" means a waiver sponsorship for a physician who will practice medicine at a location outside a designated HPSA that serves significant numbers or percentages of patients who reside in designated HPSAs.

(7) "Full-time" means the equivalent of 40 hours of medical practice per week, or 160 hours per month, not including call coverage, consisting of at least 32 hours providing direct patient care on an ambulatory or in-patient basis and may include up to eight hours administrative work for at least 48 weeks per year.

(8) "Health professional shortage area" or "HPSA" means an area federally designated as having a shortage of primary care physicians or mental health providers.

(9) "Hospitalist" means a physician who specializes in the care of hospitalized patients.

(10) "Integrated health care system (system)" means an organized system in which more than one health care entity participates, and in which the participating entities:

(a) Hold themselves out to the public as participating in a joint arrangement; and

(b) Participate in joint payment activities, such as clinics where a physician group charges a professional fee and a hospital charges a facility fee.

(11) "J-1 visa waiver program" or "program" refers to the department program that coordinates and sponsors J-1 visa waivers.

(12) "Low income" means a total family household income that is less than 200 percent of the federal poverty level as defined by the annual federal poverty guidelines.

(13) "Physician" means the foreign physician eligible to be licensed under chapter 18.71 or 18.57 RCW named in the visa waiver application, who requires a waiver to remain in the United States to practice medicine.

(14) "Practice location" means the physical location(s) where the visa waiver physician will work.

(15) "Primary care physician" means a physician board certified or board eligible in family practice, general internal medicine, pediatrics, obstetrics/gynecology, geriatric medicine, or psychiatry. Physicians who have completed subspecialty or fellowship training, ex-

cluding obstetrics or geriatric training, are not considered primary care physicians for the purpose of this chapter.

(16) "Publicly funded employers" means organizations such as public hospital districts, community health centers, local, state, or federal governmental institutions or correctional facilities, who have an obligation to provide care to underserved populations.

(17) "Sliding fee discount schedule" means a written delineation documenting the value of charge discounts granted to patients based upon patients with family income up to 300 percent of the annual federal poverty guidelines.

(18) "Specialist" means a physician board certified or board eligible in a specialty other than family practice, general internal medicine, pediatrics, obstetrics/gynecology, geriatric medicine, or psychiatry who do not meet the definition of "primary care physician" as defined above.

(19) "Sponsorship" means a request by the department on behalf of an applicant to federal immigration authorities to grant a J-1 visa waiver for the purpose of recruiting and retaining physicians.

(20) "Telehealth" means a mode of delivering health care services using telecommunications technologies by a practitioner to a patient at a different physical location than the practitioner. Telehealth includes real-time interactive health care services and remote monitoring.

(21) "Vacancy" means a full-time physician practice opportunity that is based on a long-standing opening, a planned retirement, a loss of an existing physician, or an expansion of physician services in the service area.

(22) "Visa waiver" means a federal action that waives the requirement for a foreign physician, in the United States on a J-1 visa, to return to his/her home country for a two-year period following medical residency or fellowship training.

[Statutory Authority: RCW 70.185.040. WSR 24-18-072, § 246-562-010, filed 8/29/24, effective 10/1/24. Statutory Authority: RCW 70.185.040 and P.L. 110-362. WSR 16-17-060, § 246-562-010, filed 8/12/16, effective 10/1/16. Statutory Authority: Chapter 70.185 RCW and Public Law 108-441. WSR 06-07-035, § 246-562-010, filed 3/8/06, effective 4/8/06. Statutory Authority: Chapter 70.185 RCW. WSR 03-19-054, § 246-562-010, filed 9/11/03, effective 10/12/03; WSR 00-15-082, § 246-562-010, filed 7/19/00, effective 8/19/00; WSR 98-20-067, § 246-562-010, filed 10/2/98, effective 11/2/98.]