

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2151

Chapter 191, Laws of 1996

54th Legislature
1996 Regular Session

CREDENTIALING HEALTH PROFESSIONALS--UNIFORM PROCEDURES

EFFECTIVE DATE: 6/6/96

Passed by the House March 2, 1996
Yeas 90 Nays 0

CLYDE BALLARD
**Speaker of the
House of Representatives**

Passed by the Senate February 28, 1996
Yeas 45 Nays 0

JOEL PRITCHARD
President of the Senate

Approved March 28, 1996

MIKE LOWRY
Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2151** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

FILED

March 28, 1996 - 4:04 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2151

AS AMENDED BY THE SENATE

Passed Legislature - 1996 Regular Session

State of Washington 54th Legislature 1996 Regular Session

By House Committee on Health Care (originally sponsored by Representatives Dyer, Backlund, Cody and Murray; by request of Department of Health)

Read first time 01/19/96.

1 AN ACT Relating to department of health responsibility for uniform
2 administrative procedures for credentialing health professionals;
3 amending RCW 43.70.250, 43.70.280, 18.06.120, 18.19.070, 18.19.100,
4 18.19.170, 18.22.120, 18.25.020, 18.25.070, 18.29.021, 18.29.071,
5 18.30.120, 18.30.130, 18.32.110, 18.32.170, 18.32.180, 18.32.220,
6 18.34.120, 18.35.060, 18.35.080, 18.35.090, 18.36A.130, 18.36A.140,
7 18.50.050, 18.50.102, 18.52.110, 18.52.130, 18.52C.030, 18.53.050,
8 18.53.070, 18.55.030, 18.55.040, 18.55.050, 18.57.035, 18.57.045,
9 18.57.050, 18.57.080, 18.57A.020, 18.71A.040, 18.59.110, 18.64.040,
10 18.64.043, 18.64.045, 18.64.046, 18.64.047, 18.64.140, 18.64.205,
11 18.64.310, 18.64A.030, 18.64A.060, 18.71.080, 18.71.085, 18.71.095,
12 18.71.205, 18.71.400, 18.71A.020, 18.71A.040, 18.74.050, 18.74.060,
13 18.74.070, 18.79.200, 18.79.210, 18.83.060, 18.83.072, 18.83.080,
14 18.83.082, 18.83.090, 18.83.105, 18.83.170, 18.84.100, 18.84.110,
15 18.84.120, 18.88A.120, 18.88A.130, 18.89.110, 18.89.120, 18.89.140,
16 18.92.140, 18.92.145, 18.108.060, 18.135.050, 18.135.055, 18.138.040,
17 18.138.060, 18.155.040, 18.155.080, and 42.17.310; reenacting and
18 amending RCW 18.57.130; adding a new section to chapter 43.70 RCW;
19 creating a new section; and repealing RCW 18.30.110, 18.32.120,
20 18.53.055, 18.64A.065, 18.79.220, and 18.83.100.

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

2 **Sec. 1.** RCW 43.70.250 and 1989 1st ex.s. c 9 s 319 are each
3 amended to read as follows:

4 ~~((1))~~ It shall be the policy of the state of Washington that the
5 cost of each professional, occupational, or business licensing program
6 be fully borne by the members of that profession, occupation, or
7 business. The secretary shall from time to time establish the amount
8 of all application fees, license fees, registration fees, examination
9 fees, permit fees, renewal fees, and any other fee associated with
10 licensing or regulation of professions, occupations, or businesses
11 administered by the department. In fixing said fees, the secretary
12 shall set the fees for each program at a sufficient level to defray the
13 costs of administering that program. All such fees shall be fixed by
14 rule adopted by the secretary in accordance with the provisions of the
15 administrative procedure act, chapter 34.05 RCW.

16 ~~((2) Notwithstanding subsection (1) of this section, no fee for
17 midwives, as licensed in chapter 18.50 RCW may be increased by more
18 than one hundred dollars or fifty percent, whichever is greater during
19 any biennium.))~~

20 **Sec. 2.** RCW 43.70.280 and 1989 1st ex.s. c 9 s 322 are each
21 amended to read as follows:

22 (1) The secretary, in consultation with health profession boards
23 and commissions, shall establish by rule the administrative procedures,
24 administrative requirements, and fees for initial issue, renewal, and
25 reissue of a credential for professions under RCW 18.130.040, including
26 procedures and requirements for late renewals and uniform application
27 of late renewal penalties. Failure to renew invalidates the credential
28 and all privileges granted by the credential. Administrative
29 procedures and administrative requirements do not include establishing,
30 monitoring, and enforcing qualifications for licensure, scope or
31 standards of practice, continuing competency mechanisms, and discipline
32 when such authority is authorized in statute to a health profession
33 board or commission. For the purposes of this section, "in
34 consultation with" means providing an opportunity for meaningful
35 participation in development of rules consistent with processes set
36 forth in RCW 34.05.310.

1 (2) Notwithstanding any provision of law to the contrary which
2 provides for a licensing period for any type of license subject to this
3 chapter including those under RCW 18.130.040, the secretary of health
4 may, from time to time, extend or otherwise modify the duration of any
5 licensing, certification, or registration period, whether an initial or
6 renewal period, if the secretary determines that it would result in a
7 more economical or efficient operation of state government and that the
8 public health, safety, or welfare would not be substantially adversely
9 affected thereby. However, no license, certification, or registration
10 may be issued or approved for a period in excess of four years, without
11 renewal. Such extension, reduction, or other modification of a
12 licensing, certification, or registration period shall be by rule or
13 regulation of the department of health adopted in accordance with the
14 provisions of chapter 34.05 RCW. Such rules and regulations may
15 provide a method for imposing and collecting such additional
16 proportional fee as may be required for the extended or modified
17 period.

18 (3) Unless extended by the legislature, effective July 1, 1998, the
19 authority of the secretary to establish administrative procedures and
20 administrative requirements for initial issue, renewal, and reissue of
21 a credential, including procedures and requirements for late renewals
22 and uniform application of late renewal penalties, shall cease to apply
23 to those health professions otherwise regulated by a board or
24 commission with statutory rule-making authority. If not extended by
25 the legislature, such authority shall transfer to the respective board
26 or commission. Rules adopted by the secretary under this section shall
27 remain in effect after July 1, 1998, until modified or repealed in
28 accordance with the provisions of chapter 34.05 RCW.

29 **Sec. 3.** RCW 18.06.120 and 1995 c 323 s 10 are each amended to read
30 as follows:

31 (1) ~~Every person licensed in acupuncture shall ((register with the~~
32 ~~secretary annually and pay an annual renewal fee determined by the~~
33 ~~secretary as provided in RCW 43.70.250 on or before the license~~
34 ~~holder's birth anniversary date. The license of the person shall be~~
35 ~~renewed for a period of one year or longer in the discretion of the~~
36 ~~secretary. A person whose practice is exclusively out of state or who~~
37 ~~is on sabbatical shall be granted an inactive licensure status and pay~~
38 ~~a reduced fee. The reduced fee shall be set by the secretary under RCW~~

1 43.70.250)) comply with the administrative procedures and
2 administrative requirements for registration and renewal set by the
3 secretary under RCW 43.70.250 and 43.70.280.

4 (2) ~~((Any failure to register and pay the annual renewal fee shall~~
5 ~~render the license invalid. The license shall be reinstated upon: (a)~~
6 ~~Written application to the secretary; (b) payment to the state of a~~
7 ~~penalty fee determined by the secretary as provided in RCW 43.70.250;~~
8 ~~and (c) payment to the state of all delinquent annual license renewal~~
9 ~~fees.~~

10 (3) ~~Any person who fails to renew his or her license for a period~~
11 ~~of three years shall not be entitled to renew the licensure under this~~
12 ~~section. Such person, in order to obtain a licensure in acupuncture in~~
13 ~~this state, shall file a new application under this chapter, along with~~
14 ~~the required fee, and shall meet examination or continuing education~~
15 ~~requirements as the secretary, by rule, provides.~~

16 (4)) All fees collected under this section and RCW 18.06.070 shall
17 be credited to the health professions account as required under RCW
18 43.70.320.

19 **Sec. 4.** RCW 18.19.070 and 1994 sp.s. c 9 s 501 are each amended to
20 read as follows:

21 (1) The Washington state mental health quality assurance council is
22 created, consisting of ~~((nine))~~ seven members appointed by the
23 secretary. All appointments shall be for a term of four years. No
24 person may serve as a member of the council for more than two
25 consecutive full terms.

26 Voting members of the council must include one social worker
27 certified under RCW 18.19.110, one mental health counselor certified
28 under RCW 18.19.120, one marriage and family therapist certified under
29 RCW 18.19.130, one counselor registered under RCW 18.19.090, one
30 hypnotherapist registered under RCW 18.19.090, and two public members.
31 Each member of the council must be a citizen of the United States and
32 a resident of this state. Public members of the council may not be a
33 member of any other health care licensing board or commission, or have
34 a fiduciary obligation to a facility rendering health services
35 regulated by the council, or have a material or financial interest in
36 the rendering of health services regulated by the council.

37 The secretary may appoint the initial members of the council to
38 staggered terms of from one to four years. Thereafter, all members

1 shall be appointed to full four-year terms. Members of the council
2 hold office until their successors are appointed.

3 The secretary may remove any member of the council for cause as
4 specified by rule. In the case of a vacancy, the secretary shall
5 appoint a person to serve for the remainder of the unexpired term.

6 (2) The council shall meet at the times and places designated by
7 the secretary and shall hold meetings during the year as necessary to
8 provide advice to the secretary.

9 Each member of the council shall be reimbursed for travel expenses
10 as authorized in RCW 43.03.050 and 43.03.060. In addition, members of
11 the council shall be compensated in accordance with RCW 43.03.240 when
12 engaged in the authorized business of the council. The members of the
13 council are immune from suit in an action, civil or criminal, based on
14 their official acts performed in good faith as members of the council.

15 **Sec. 5.** RCW 18.19.100 and 1991 c 3 s 25 are each amended to read
16 as follows:

17 The secretary shall establish ~~((by rule the procedural))~~
18 administrative procedures, administrative requirements, and fees for
19 renewal of registrations~~((Failure to renew shall invalidate the~~
20 ~~registration and all privileges granted by the registration.~~
21 ~~Subsequent registration will require application and payment of a fee~~
22 ~~as determined by the secretary under RCW 43.70.250))~~ as provided in RCW
23 43.70.250 and 43.70.280.

24 **Sec. 6.** RCW 18.19.170 and 1991 c 3 s 32 are each amended to read
25 as follows:

26 A certificate issued under this chapter shall be renewed as
27 ~~((determined by))~~ provided in RCW 43.70.250 and 43.70.280. The
28 secretary ~~((who))~~ may establish ~~((rules governing))~~ continuing
29 competence requirements. ~~((An additional fee may be set by the~~
30 ~~secretary as a renewal requirement when certification has lapsed due to~~
31 ~~failure to renew prior to the expiration date.))~~

32 **Sec. 7.** RCW 18.22.120 and 1990 c 147 s 13 are each amended to read
33 as follows:

34 The board shall establish by rule the requirements for renewal of
35 licenses and relicensing. ~~((The secretary shall establish a renewal and~~
36 ~~late renewal penalty fee as provided in RCW 43.70.250, and the term for~~

1 renewal of a license under RCW 43.70.280. Failure to renew invalidates
2 the license and all privileges granted by it. The board shall
3 determine by rule when a license shall be canceled for failure to renew
4 and shall establish prerequisites for relicensing)) Administrative
5 procedures, administrative requirements, and fees shall be established
6 as provided in RCW 43.70.250 and 43.70.280.

7 **Sec. 8.** RCW 18.25.020 and 1994 sp.s. c 9 s 109 are each amended to
8 read as follows:

9 (1) Any person not now licensed to practice chiropractic in this
10 state and who desires to practice chiropractic in this state, before it
11 shall be lawful for him or her to do so, shall make application
12 therefor to the secretary, upon such form and in such manner as may be
13 adopted and directed by the secretary. Each applicant who matriculates
14 to a chiropractic college after January 1, 1975, shall have completed
15 not less than one-half of the requirements for a baccalaureate degree
16 at an accredited and approved college or university and shall be a
17 graduate of a chiropractic school or college accredited and approved by
18 the commission and shall show satisfactory evidence of completion by
19 each applicant of a resident course of study of not less than four
20 thousand classroom hours of instruction in such school or college.
21 Applications shall be in writing and shall be signed by the applicant
22 in his or her own handwriting and shall be sworn to before some officer
23 authorized to administer oaths, and shall recite the history of the
24 applicant as to his or her educational advantages, his or her
25 experience in matters pertaining to a knowledge of the care of the
26 sick, how long he or she has studied chiropractic, under what teachers,
27 what collateral branches, if any, he or she has studied, the length of
28 time he or she has engaged in clinical practice; accompanying the same
29 by reference therein, with any proof thereof in the shape of diplomas,
30 certificates, and shall accompany said application with satisfactory
31 evidence of good character and reputation.

32 (2) (~~There shall be paid to the secretary by each applicant for a~~
33 ~~license, a fee determined by the secretary as provided in RCW 43.70.250~~
34 ~~which shall accompany application and a fee determined by the secretary~~
35 ~~as provided in RCW 43.70.250, which shall be paid upon issuance of~~
36 ~~license. Like fees shall be paid for any subsequent examination and~~
37 ~~application)) Applicants shall follow administrative procedures and~~

1 administrative requirements and pay fees as provided in RCW 43.70.250
2 and 43.70.280.

3 **Sec. 9.** RCW 18.25.070 and 1994 sp.s. c 9 s 114 are each amended to
4 read as follows:

5 ~~((1))~~ Every person practicing chiropractic shall, as a
6 prerequisite to ~~((annual))~~ renewal of license, submit to the secretary
7 at the time of application therefor, satisfactory proof showing
8 attendance of at least twenty-five hours per year during the preceding
9 ~~((twelve-month))~~ credential period, at one or more chiropractic
10 symposiums which are recognized and approved by the commission. The
11 commission may, for good cause shown, waive said attendance. The
12 following guidelines for such symposiums shall apply:

13 ~~((a))~~ (1) The commission shall set criteria for the course
14 content of educational symposia concerning matters which are recognized
15 by the state of Washington chiropractic licensing laws; it shall be the
16 licensee's responsibility to determine whether the course content meets
17 these criteria;

18 ~~((b))~~ (2) The commission shall adopt standards for distribution
19 of annual continuing education credit requirements;

20 ~~((c))~~ (3) Rules shall be adopted by the commission for licensees
21 practicing and residing outside the state who shall meet all
22 requirements established by rule of the commission.

23 ~~((2) Every person practicing chiropractic within this state shall~~
24 ~~pay on or before his or her birth anniversary date, after a license is~~
25 ~~issued to him or her as provided in this chapter, to the secretary a~~
26 ~~renewal license fee to be determined by the secretary as provided in~~
27 ~~RCW 43.70.250. The secretary shall, thirty days or more before the~~
28 ~~birth anniversary date of each chiropractor in the state, mail to that~~
29 ~~chiropractor a notice of the fact that the renewal fee will be due on~~
30 ~~or before his or her birth anniversary date. Nothing in this chapter~~
31 ~~shall be construed so as to require that the receipts shall be recorded~~
32 ~~as original licenses are required to be recorded.~~

33 ~~The failure of any licensed chiropractor to pay his or her annual~~
34 ~~license renewal fee within thirty days of license expiration shall work~~
35 ~~a forfeiture of his or her license. It shall not be reinstated except~~
36 ~~upon evidence that continuing educational requirements have been~~
37 ~~fulfilled and the payment of a penalty to be determined by the~~
38 ~~secretary as provided in RCW 43.70.250, together with all annual~~

1 ~~license renewal fees delinquent at the time of the forfeiture, and~~
2 ~~those for each year thereafter up to the time of reinstatement. If the~~
3 ~~licensee allows his or her license to lapse for more than three years,~~
4 ~~he or she may be reexamined as provided for in RCW 18.25.040 at the~~
5 ~~discretion of the commission.))~~

6 **Sec. 10.** RCW 18.29.021 and 1995 c 198 s 4 are each amended to read
7 as follows:

8 (1) The department shall issue a license to any applicant who, as
9 determined by the secretary:

10 (a) Has successfully completed an educational program approved by
11 the secretary. This educational program shall include course work
12 encompassing the subject areas within the scope of the license to
13 practice dental hygiene in the state of Washington;

14 (b) Has successfully completed an examination administered or
15 approved by the dental hygiene examining committee; and

16 (c) Has not engaged in unprofessional conduct or is not unable to
17 practice with reasonable skill and safety as a result of a physical or
18 mental impairment.

19 (2) Applications for licensure ~~((shall be submitted on forms~~
20 ~~provided by the department. The department may require any information~~
21 ~~and documentation necessary to determine if the applicant meets the~~
22 ~~criteria for licensure as provided in this chapter and chapter 18.130~~
23 ~~RCW. Each applicant shall pay a fee determined by the secretary as~~
24 ~~provided in RCW 43.70.250. The fee shall be submitted with the~~
25 ~~application)) must comply with administrative procedures,~~
26 ~~administrative requirements, and fees established according to RCW~~
27 ~~43.70.250 and 43.70.280.~~

28 **Sec. 11.** RCW 18.29.071 and 1991 c 3 s 49 are each amended to read
29 as follows:

30 The secretary shall establish ~~((by rule))~~ the administrative
31 procedures, administrative requirements, and fees for renewal of
32 licenses as provided in this chapter and in RCW 43.70.250 and
33 43.70.280. ~~((The secretary shall establish a renewal and late renewal~~
34 ~~penalty fee as provided in RCW 43.70.250. Failure to renew invalidates~~
35 ~~the license and all privileges granted by the license. The secretary~~
36 ~~shall determine by rule whether a license shall be canceled for failure~~

1 to renew and shall establish procedures and requirements for
2 relicensure.))

3 **Sec. 12.** RCW 18.30.120 and 1995 c 1 s 13 (Initiative Measure No.
4 607) are each amended to read as follows:

5 (1) (~~(A license issued under RCW 18.30.080 is valid for two years.~~
6 ~~A license may be renewed by paying the renewal fee))~~ The licensing
7 period, administrative procedures, administrative requirements, and
8 fees shall be determined by the secretary as provided in RCW 43.70.250
9 and 43.70.280.

10 (2) (~~(If a license issued is effective on a date other than July 1,~~
11 ~~it shall be valid until the following June 30.~~

12 ~~(3))~~) The license shall contain, on its face, the address or
13 addresses where the license holder will perform the denturist services.

14 **Sec. 13.** RCW 18.30.130 and 1995 c 198 s 23 are each amended to
15 read as follows:

16 The secretary shall establish by rule the ((administrative))
17 requirements for renewal of licenses to practice denturism, but shall
18 not increase the licensure requirements provided in this chapter. The
19 secretary shall establish ((a renewal and late renewal penalty in
20 accordance with RCW 43.70.250. Failure to renew shall invalidate the
21 license and all privileges granted by the license. The secretary shall
22 determine by rule whether a license shall be canceled for failure to
23 renew and shall establish procedures and prerequisites for
24 relicensure)) administrative procedures, administrative requirements,
25 and fees for license periods and renewals as provided in RCW 43.70.250
26 and 43.70.280.

27 **Sec. 14.** RCW 18.32.110 and 1991 c 3 s 63 are each amended to read
28 as follows:

29 Each applicant shall pay a fee determined by the secretary as
30 provided in RCW 43.70.250(~~(, which shall accompany the application))~~
31 and 43.70.280.

32 **Sec. 15.** RCW 18.32.170 and 1991 c 3 s 66 are each amended to read
33 as follows:

1 A fee determined by the secretary as provided in RCW 43.70.250 and
2 43.70.280 shall be charged for every duplicate license issued by the
3 secretary.

4 **Sec. 16.** RCW 18.32.180 and 1994 sp.s. c 9 s 216 are each amended
5 to read as follows:

6 ~~((1))~~ Every person licensed to practice dentistry in this state
7 shall ~~((register with the secretary, and pay a renewal registration fee~~
8 ~~determined by the secretary as provided in RCW 43.70.250. Any failure~~
9 ~~to register and pay the renewal registration fee renders the license~~
10 ~~invalid, and the practice of dentistry shall not be permitted. The~~
11 ~~license shall be reinstated upon written application to the secretary~~
12 ~~and payment to the state of a penalty fee determined by the secretary~~
13 ~~as provided in RCW 43.70.250, together with all delinquent license~~
14 ~~renewal fees.~~

15 (2) A person who fails to renew the license for a period of three
16 years may not renew the license under subsection (1) of this section.
17 In order to obtain a license to practice dentistry in this state, such
18 a person shall file an original application as provided for in this
19 chapter, along with the requisite fees.) renew his or her license and
20 comply with administrative procedures, administrative requirements, and
21 fees as provided in RCW 43.70.250 and 43.70.280. The commission, in
22 its sole discretion, may permit the applicant to be licensed without
23 examination, and with or without conditions, if it is satisfied that
24 the applicant meets all the requirements for licensure in this state
25 and is competent to engage in the practice of dentistry.

26 **Sec. 17.** RCW 18.32.220 and 1991 c 3 s 70 are each amended to read
27 as follows:

28 Anyone who is a licensed dentist in the state of Washington who
29 desires to change residence to another state or territory, shall, upon
30 application to the secretary and payment of a fee as determined by the
31 secretary under RCW 43.70.250 and 43.70.280, receive a certificate over
32 the signature of the secretary or his or her designee, which shall
33 attest to the facts mentioned in this section, and giving the date upon
34 which the dentist was licensed.

35 **Sec. 18.** RCW 18.34.120 and 1991 c 3 s 79 are each amended to read
36 as follows:

1 Each licensee hereunder shall pay (~~(an annual)~~) a renewal
2 registration fee determined by the secretary as provided in RCW
3 43.70.250(~~(, on or before the first day of July of each year, and~~
4 ~~thereupon the license of such person shall be renewed for a period of~~
5 ~~one year. Any failure to pay the annual renewal registration fee shall~~
6 ~~render the license invalid, but such license shall be reinstated upon~~
7 ~~written application therefor to the secretary and payment of a penalty~~
8 ~~determined by the secretary as provided in RCW 43.70.250, together with~~
9 ~~all delinquent annual license renewal fees. In addition,~~) and
10 43.70.280. The secretary may adopt rules establishing mandatory
11 continuing education requirements to be met by persons applying for
12 license renewal.

13 **Sec. 19.** RCW 18.35.060 and 1993 c 313 s 3 are each amended to read
14 as follows:

15 (1) The department shall issue a trainee license to any applicant
16 who has shown to the satisfaction of the department that the applicant:

17 (a) (~~The applicant~~) Is at least eighteen years of age;

18 (b) If issued a trainee license, would be employed and directly
19 supervised in the fitting and dispensing of hearing aids by a person
20 licensed in good standing as a fitter-dispenser for at least one year
21 unless otherwise approved by the board; and

22 (c) Has (~~paid an application fee~~) complied with administrative
23 procedures, administrative requirements, and fees determined (~~by the~~
24 ~~secretary~~) as provided in RCW 43.70.250(~~(, to the department)~~) and
25 43.70.280.

26 The provisions of RCW 18.35.030, 18.35.110, and 18.35.120 shall
27 apply to any person issued a trainee license. Pursuant to the
28 provisions of this section, a person issued a trainee license may
29 engage in the fitting and dispensing of hearing aids without having
30 first passed the examination provided under this chapter.

31 (2) The trainee license shall contain the name of the person
32 licensed under this chapter who is employing and supervising the
33 trainee and that person shall execute an acknowledgment of
34 responsibility for all acts of the trainee in connection with the
35 fitting and dispensing of hearing aids.

36 (3) A trainee may fit and dispense hearing aids, but only if the
37 trainee is under the direct supervision of a person licensed under this
38 chapter in a capacity other than as a trainee. Direct supervision by

1 a licensed fitter-dispenser shall be required whenever the trainee is
2 engaged in the fitting or dispensing of hearing aids during the
3 trainee's first three months of full-time employment. The board shall
4 develop and adopt guidelines on any additional supervision or training
5 it deems necessary.

6 (4) (~~The trainee license shall expire one year from the date of~~
7 ~~its issuance except that on recommendation of the board the license may~~
8 ~~be reissued for one additional year only~~) No individual may hold a
9 trainee license for more than two years.

10 (5) No person licensed under this chapter may assume the
11 responsibility for more than two trainees at any one time, except that
12 the department may approve one additional trainee if none of the
13 trainees is within the initial ninety-day period of direct supervision
14 and the licensee demonstrates to the department's satisfaction that
15 adequate supervision will be provided for all trainees.

16 **Sec. 20.** RCW 18.35.080 and 1991 c 3 s 83 are each amended to read
17 as follows:

18 The department shall license each applicant(~~(, without~~
19 ~~discrimination,)~~) who satisfactorily completes the required examination
20 and(~~(, upon payment of a fee determined by the secretary as provided in~~
21 ~~RCW 43.70.250 to the department, shall issue to the applicant a~~
22 ~~license. If a person does not apply for a license within three years~~
23 ~~of the successful completion of the license examination, reexamination~~
24 ~~is required for licensure. The license shall be effective until the~~
25 ~~licensee's next birthday at which time it is subject to renewal.~~
26 ~~Subsequent renewal dates shall coincide with the licensee's birthday)~~)
27 complies with administrative procedures and administrative requirements
28 established pursuant to RCW 43.70.250 and 43.70.280.

29 **Sec. 21.** RCW 18.35.090 and 1991 c 3 s 84 are each amended to read
30 as follows:

31 Each person who engages in the fitting and dispensing of hearing
32 aids shall (~~as the department prescribes by rule, pay to the~~
33 ~~department a fee established by the secretary under RCW 43.70.250 for~~
34 ~~a renewal of the license)~~ comply with administrative procedures and
35 administrative requirements established under RCW 43.70.250 and
36 43.70.280 and shall keep the license conspicuously posted in the place
37 of business at all times. (~~Any person who fails to renew his or her~~

1 license prior to the expiration date must pay a penalty fee in addition
2 to the renewal fee and satisfy the requirements that may be set forth
3 by rule promulgated by the secretary for reinstatement.)) The
4 secretary may ((by rule)) establish mandatory continuing education
5 requirements and/or continued competency standards to be met by
6 licensees as a condition for license renewal.

7 **Sec. 22.** RCW 18.36A.130 and 1991 c 3 s 98 are each amended to read
8 as follows:

9 ((~~Applications for licensure shall be submitted on forms provided~~
10 ~~by the department. The department may require any information and~~
11 ~~documentation needed to determine if the applicant meets the criteria~~
12 ~~for licensure as provided in this chapter and chapter 18.130 RCW. Each~~
13 ~~applicant shall pay a fee determined by the secretary as provided in~~
14 ~~RCW 43.70.250. The fee shall be submitted with the application))
15 Applicants shall comply with administrative procedures, administrative
16 requirements, and fees determined by the secretary as provided in RCW
17 43.70.250 and 43.70.280.~~

18 **Sec. 23.** RCW 18.36A.140 and 1991 c 3 s 99 are each amended to read
19 as follows:

20 The secretary shall establish ((by rule)) the administrative
21 procedures, administrative requirements, and fees for renewal and late
22 renewal of licenses as provided in RCW 43.70.250 and 43.70.280. ((~~The~~
23 ~~secretary shall establish a renewal and late renewal penalty fee as~~
24 ~~provided in RCW 43.70.250. Failure to renew shall invalidate the~~
25 ~~license and all privileges granted by the license. The secretary shall~~
26 ~~determine by rule whether a license shall be canceled for failure to~~
27 ~~renew and shall establish procedures and prerequisites for~~
28 ~~relicensure.))~~

29 **Sec. 24.** RCW 18.50.050 and 1991 c 3 s 108 are each amended to read
30 as follows:

31 ((~~If the application is approved and the candidate shall have~~
32 ~~deposited an examination fee determined by the secretary as provided in~~
33 ~~RCW 43.70.250 with the secretary, the candidate shall be admitted to~~
34 ~~the examination, and in case of failure to pass the examination, may be~~
35 ~~reexamined at any regular examination within one year without the~~
36 ~~payment of an additional fee, said fee to be retained by the secretary~~

1 ~~after failure to pass the second examination)) Applicants shall comply~~
2 ~~with administrative procedures, administrative requirements, and fees~~
3 ~~determined by the secretary as provided by RCW 43.70.250 and 43.70.280.~~

4 **Sec. 25.** RCW 18.50.102 and 1991 c 3 s 110 are each amended to read
5 as follows:

6 Every person licensed to practice midwifery shall register with the
7 secretary ~~((annually))~~ and pay ~~((an annual))~~ a renewal ~~((registration))~~
8 fee determined by the secretary as provided in RCW 43.70.250 ~~((on or~~
9 ~~before the licensee's birth anniversary date. The license of the~~
10 ~~person shall be renewed for a period of one year. Any failure to~~
11 ~~register and pay the annual renewal registration fee shall render the~~
12 ~~license invalid. The license shall be reinstated upon written~~
13 ~~application to the secretary, payment to the state of a penalty fee~~
14 ~~determined by the secretary as provided in RCW 43.70.250, and payment~~
15 ~~to the state of all delinquent annual license renewal fees. Any person~~
16 ~~who fails to renew his or her license for a period of three years shall~~
17 ~~not be entitled to renew such license under this section. Such person,~~
18 ~~in order to obtain a license to practice midwifery in this state, shall~~
19 ~~file a new application under this chapter, along with the required fee.~~
20 ~~The secretary, in the secretary's discretion, may permit the applicant~~
21 ~~to be licensed without examination if satisfied that the applicant~~
22 ~~meets all the requirements for licensure in this state and is competent~~
23 ~~to engage in the practice of midwifery)) and 43.70.280.~~

24 **Sec. 26.** RCW 18.52.110 and 1992 c 53 s 8 are each amended to read
25 as follows:

26 (1) Every holder of a nursing home administrator's license shall
27 ~~((reregister on dates specified by the secretary. Such relicensure~~
28 ~~shall be granted upon receipt of a fee determined by the secretary as~~
29 ~~provided in RCW 43.70.250, and upon)) renew that license by fulfilling
30 the continuing competency requirement and by complying with
31 administrative procedures, administrative requirements, and fees as
32 determined according to RCW 43.70.250 and 43.70.280. ~~((In the event~~
33 ~~that any license is not reregistered, the secretary may charge up to~~
34 ~~double the relicensure fee. In the event that the license of an~~
35 ~~individual is not relicensed within two years from the most recent date~~
36 ~~for relicensure it shall lapse and such individual must again apply for~~
37 ~~licensing and meet all requirements of this chapter for a new~~~~

1 applicant.)) The board may prescribe rules for maintenance of a
2 license ((at a reduced fee)) for temporary or permanent withdrawal or
3 retirement from the active practice of nursing home administration.

4 (2) A condition of ((relicensure)) renewal shall be the
5 presentation of proof by the applicant that the board requirement for
6 continuing competency related to the administration of nursing homes
7 has been met.

8 **Sec. 27.** RCW 18.52.130 and 1992 c 53 s 9 are each amended to read
9 as follows:

10 The secretary may issue a nursing home administrator's license to
11 anyone who holds a current administrator's license from another
12 jurisdiction upon receipt of an application ((fee and an annual license
13 fee, as provided in RCW 43.70.250)) and complying with administrative
14 procedures, administrative requirements, and fees determined according
15 to RCW 43.70.250 and 43.70.280, if the standards for licensing in such
16 other jurisdiction are substantially equivalent to those prevailing in
17 this state, and that the applicant is otherwise qualified as determined
18 by the board.

19 **Sec. 28.** RCW 18.52C.030 and 1991 c 3 s 131 are each amended to
20 read as follows:

21 A person who operates a nursing pool shall register the pool with
22 the secretary. Each separate location of the business of a nursing
23 pool shall have a separate registration.

24 The secretary((, by rule,)) shall establish ((forms and procedures
25 for the processing of nursing pool registration applications, including
26 the payment of registration fees pursuant to RCW 43.70.250. An
27 application for a nursing pool registration shall include at least the
28 following information:

29 (1) The names and addresses of the owner or owners of the nursing
30 pool; and

31 (2) If the owner is a corporation, copies of its articles of
32 incorporation and current bylaws, together with the names and addresses
33 of its officers and directors.

34 A registration issued by the secretary in accordance with this
35 section shall remain effective for a period of one year from the date
36 of its issuance unless the registration is revoked or suspended
37 pursuant to RCW 18.52C.040(4), or unless the nursing pool is sold or

1 ownership or management is transferred, in which case the registration
2 of the nursing pool shall be voided and the new owner or operator shall
3 apply for a new registration)) administrative procedures,
4 administrative requirements, and fees as provided in RCW 43.70.250 and
5 43.70.280.

6 **Sec. 29.** RCW 18.53.050 and 1991 c 3 s 134 are each amended to read
7 as follows:

8 Every ((registered)) licensed optometrist shall ((annually or on
9 the date specified by the secretary pay to the state treasurer a
10 renewal fee, to be determined by the secretary as provided in RCW
11 43.70.250, and failure to pay such fee within the prescribed time shall
12 cause the suspension of his or her certificate)) renew his or her
13 license by complying with administrative procedures, administrative
14 requirements, and fees determined according to RCW 43.70.250 and
15 43.70.280.

16 **Sec. 30.** RCW 18.53.070 and 1991 c 3 s 136 are each amended to read
17 as follows:

18 ((The fees for application for examination and)) Administrative
19 procedures, administrative requirements, and fees for issuing a
20 ((certificate of registration)) license shall be determined ((by the
21 secretary)) as provided in RCW 43.70.250((, which shall be paid to the
22 secretary as he or she shall prescribe)) and 43.70.280.

23 **Sec. 31.** RCW 18.55.030 and 1991 c 3 s 143 are each amended to read
24 as follows:

25 ((Upon receipt of an application for a license and the license fee
26 as determined by the secretary, the secretary shall issue a license if
27 the applicant meets the requirements established under this chapter.
28 The license, unless suspended or revoked, shall be renewed annually.
29 All licenses issued under the provisions of this chapter shall expire
30 on the 1st day of July)) The secretary shall determine administrative
31 procedures, administrative requirements, and fees for licenses and
32 renewals as provided in RCW 43.70.250 and 43.70.280.

33 **Sec. 32.** RCW 18.55.040 and 1991 c 180 s 4 are each amended to read
34 as follows:

1 No applicant shall be licensed under this chapter until the
2 applicant (~~((pays an examination fee determined by the secretary, as~~
3 ~~provided in RCW 43.70.250, and certifies under oath after furnishing~~
4 ~~satisfactory documentation,))~~ complies with administrative procedures,
5 administrative requirements, and fees determined by the secretary
6 according to RCW 43.70.250 and 43.70.280. Qualifications must require
7 that the applicant:

- 8 (1) Is eighteen years or more of age;
- 9 (2) Has graduated from high school or has received a general
10 equivalency degree;
- 11 (3) Is of good moral character; and
- 12 (4)(a) Had at least ten thousand hours of apprenticeship training
13 under the direct supervision of a licensed ocularist; or
14 (b) Successfully completed a prescribed course in ocularist
15 training programs approved by the secretary; or
16 (c) Has had at least ten thousand hours of apprenticeship training
17 under the direct supervision of a practicing ocularist, or has the
18 equivalent experience as a practicing ocularist, or any combination of
19 training and supervision, not in the state of Washington; and
- 20 (5) Successfully passes an examination conducted or approved by the
21 secretary.

22 **Sec. 33.** RCW 18.55.050 and 1991 c 180 s 6 are each amended to read
23 as follows:

24 Every individual licensed or registered under this chapter shall
25 (~~((pay an annual license or registration renewal fee))~~) comply with
26 administrative procedures, administrative requirements, and fees
27 determined by the secretary, as provided by RCW 43.70.250~~((, on or~~
28 ~~before the expiration date established by the secretary. An~~
29 ~~application for renewal shall be on the form provided by the secretary~~
30 ~~and shall be filed with the department of health not less than ten days~~
31 ~~prior to its expiration. Each application for renewal shall be~~
32 ~~accompanied by a renewal fee in an amount to be determined by the~~
33 ~~secretary. Any license or registration not renewed as provided in this~~
34 ~~section shall be invalid.~~

35 The secretary may provide by rule the procedures that may allow for
36 the reinstatement of a license or registration upon payment of the
37 renewal fee and a late renewal penalty fee)) and 43.70.280 to renew his
38 or her license.

1 **Sec. 34.** RCW 18.57.035 and 1991 c 160 s 9 are each amended to read
2 as follows:

3 The board may grant approval to issue without examination a license
4 to an osteopathic physician and surgeon in a board-approved
5 postgraduate training program in this state if the applicant files an
6 application and meets all the requirements for licensure set forth in
7 RCW 18.57.020 except for completion of one year of postgraduate
8 training. The secretary shall issue a postgraduate osteopathic
9 medicine and surgery license that permits the physician in postgraduate
10 training to practice osteopathic medicine and surgery only in
11 connection with his or her duties as a physician in postgraduate
12 training and does not authorize the physician to engage in any other
13 form of practice. Each physician in postgraduate training shall
14 practice osteopathic medicine and surgery only under the supervision of
15 a physician licensed in this state under this chapter or chapter 18.71
16 RCW, but such supervision shall not be construed to necessarily require
17 the personal presence of the supervising physician at the place where
18 services are rendered.

19 All persons licensed under this section shall be subject to the
20 jurisdiction of the board of osteopathic medicine and surgery as set
21 forth in this chapter and chapter 18.130 RCW.

22 Persons applying for licensure pursuant to this section shall (~~pay~~
23 ~~an application and renewal fee~~) comply with administrative procedures,
24 administrative requirements, and fees determined (~~by the secretary~~)
25 as provided in RCW 43.70.250(~~(. Licenses issued hereunder may be~~
26 ~~renewed annually)~~) and 43.70.280. Any person who obtains a license
27 pursuant to this section may, apply for licensure under this chapter,
28 but shall submit a new application form and comply with all other
29 licensing requirements of this chapter.

30 **Sec. 35.** RCW 18.57.045 and 1991 c 160 s 4 are each amended to read
31 as follows:

32 A licensed osteopathic physician and surgeon who desires to leave
33 the active practice of osteopathic medicine and surgery in this state
34 may secure from the secretary an inactive license. The (~~initial and~~
35 ~~renewal~~) administrative procedures, administrative requirements, and
36 fees for an inactive license shall be determined (~~by the secretary~~)
37 as provided in RCW 43.70.250 and 43.70.280. The holder of an inactive

1 license may reactivate his or her license to practice osteopathic
2 medicine and surgery in accordance with rules adopted by the board.

3 **Sec. 36.** RCW 18.57.050 and 1991 c 160 s 6 are each amended to read
4 as follows:

5 ~~((Each applicant on making application shall pay the secretary a~~
6 ~~fee determined by the secretary as provided in RCW 43.70.250.~~
7 ~~Application fees are nonrefundable.))~~ The board may establish rules
8 and regulations governing mandatory continuing education requirements
9 which shall be met by physicians applying for renewal of licenses.
10 ~~((The secretary shall establish a renewal and late renewal penalty fee~~
11 ~~as provided in RCW 43.70.250. Failure to renew the license invalidates~~
12 ~~all privileges granted by the license))~~ Administrative procedures,
13 administrative requirements, and fees for applications and renewals
14 shall be established as provided in RCW 43.70.250 and 43.70.280. The
15 board shall determine ~~((by rule when a license shall be canceled for~~
16 ~~failure to renew and shall establish))~~ prerequisites for relicensing.

17 **Sec. 37.** RCW 18.57.080 and 1991 c 160 s 7 are each amended to read
18 as follows:

19 Applicants for a license to practice osteopathic medicine and
20 surgery must successfully complete an examination prepared or approved
21 by the board. The examination shall be conducted in the English
22 language, shall determine the applicant's fitness to practice
23 osteopathic medicine and surgery, and may be in whole or in part in
24 writing or by practical application on those general subjects and
25 topics of which knowledge is commonly and generally required of
26 applicants who have obtained the doctor of osteopathic medicine and
27 surgery conferred by accredited schools of osteopathic medicine and
28 surgery approved by the board. If an examination does not encompass
29 the subject of osteopathic principles and practice, the applicant shall
30 be required to complete the board-administered examination. The board
31 may prepare and administer or approve preparation and administration of
32 examinations on such subjects as the board deems advisable. The
33 examination papers of any examination administered by the board shall
34 form a part of the applicant's records and shall be retained as
35 determined by the secretary for a period of not less than one year.
36 All applicants for examination or reexamination shall ~~((pay a fee))~~
37 comply with administrative procedures, administrative requirements, and

1 fees determined (~~((by the secretary))~~) as provided in RCW 43.70.250 and
2 43.70.280.

3 **Sec. 38.** RCW 18.57.130 and 1991 c 160 s 10 and 1991 c 3 s 151 are
4 each reenacted and amended to read as follows:

5 Any person who meets the requirements of RCW 18.57.020 as now or
6 hereafter amended and has been examined and licensed to practice
7 osteopathic medicine and surgery by a state board of examiners of
8 another state or the duly constituted authorities of another state
9 authorized to issue licenses to practice osteopathic medicine and
10 surgery upon examination, shall upon approval of the board be entitled
11 to receive a license to practice osteopathic medicine and surgery in
12 this state upon (~~((the payment of))~~) complying with administrative
13 procedures, administrative requirements, and paying a fee determined
14 (~~((by the secretary))~~) as provided in RCW 43.70.250 (~~((to the state~~
15 ~~treasurer))~~) and 43.70.280 and filing a copy of his or her license in
16 such other state, duly certified by the authorities granting the
17 license to be a full, true, and correct copy thereof, and certifying
18 also that the standard of requirements adopted by such authorities as
19 provided by the law of such state is substantially equal to that
20 provided for by the provisions of this chapter: PROVIDED, That no
21 license shall issue without examination to any person who has
22 previously failed in an examination held in this state: PROVIDED,
23 FURTHER, That all licenses herein mentioned may be revoked for
24 unprofessional conduct, in the same manner and upon the same grounds as
25 if issued under this chapter: PROVIDED, FURTHER, That no one shall be
26 permitted to practice surgery under this chapter who has not a license
27 to practice osteopathic medicine and surgery.

28 **Sec. 39.** RCW 18.57A.020 and 1993 c 28 s 1 are each amended to read
29 as follows:

30 (1) The board shall adopt rules fixing the qualifications and the
31 educational and training requirements for licensure as an osteopathic
32 physician assistant or for those enrolled in any physician assistant
33 training program. The requirements shall include completion of an
34 accredited physician assistant training program approved by the board
35 and eligibility to take an examination approved by the board, providing
36 such examination tests subjects substantially equivalent to the
37 curriculum of an accredited physician assistant training program.

1 (2)(a) The board shall adopt rules governing the extent to which:

2 (i) Physician assistant students may practice medicine during
3 training; and

4 (ii) Physician assistants may practice after successful completion
5 of a training course.

6 (b) Such rules shall provide:

7 (i) That the practice of an osteopathic physician assistant shall
8 be limited to the performance of those services for which he or she is
9 trained; and

10 (ii) That each osteopathic physician assistant shall practice
11 osteopathic medicine only under the supervision and control of an
12 osteopathic physician licensed in this state, but such supervision and
13 control shall not be construed to necessarily require the personal
14 presence of the supervising physicians at the place where services are
15 rendered. The board may authorize the use of alternative supervisors
16 who are licensed either under chapter 18.57 or 18.71 RCW.

17 (3) Applicants for licensure shall file an application with the
18 board on a form prepared by the secretary with the approval of the
19 board, detailing the education, training, and experience of the
20 physician assistant and such other information as the board may
21 require. The application shall be accompanied by a fee determined by
22 the secretary as provided in RCW 43.70.250 and 43.70.280. Each
23 applicant shall furnish proof satisfactory to the board of the
24 following:

25 (a) That the applicant has completed an accredited physician
26 assistant program approved by the board and is eligible to take the
27 examination approved by the board;

28 (b) That the applicant is of good moral character; and

29 (c) That the applicant is physically and mentally capable of
30 practicing osteopathic medicine as an osteopathic physician assistant
31 with reasonable skill and safety. The board may require any applicant
32 to submit to such examination or examinations as it deems necessary to
33 determine an applicant's physical and/or mental capability to safely
34 practice as an osteopathic physician assistant.

35 (4) The board may approve, deny, or take other disciplinary action
36 upon the application for a license as provided in the uniform
37 disciplinary act, chapter 18.130 RCW. The license shall be renewed
38 ~~((on a periodic basis as determined by the secretary under RCW~~
39 ~~43.70.280, upon payment of a fee determined by the secretary as~~

1 provided in RCW 43.70.250 and submission of a completed renewal
2 application, in addition to any late renewal penalty fees as determined
3 by the secretary as provided in RCW 43.70.250)) as determined under RCW
4 43.70.250 and 43.70.280.

5 **Sec. 40.** RCW 18.71A.040 and 1994 sp.s. c 9 s 321 are each amended
6 to read as follows:

7 (1) No physician assistant practicing in this state shall be
8 employed or supervised by a physician or physician group without the
9 approval of the commission.

10 (2) Prior to commencing practice, a physician assistant licensed in
11 this state shall apply to the commission for permission to be employed
12 or supervised by a physician or physician group. The practice
13 arrangement plan shall be jointly submitted by the physician or
14 physician group and physician assistant. ~~((The secretary may charge a~~
15 ~~fee as provided in RCW 43.70.250 to recover the cost for the plan~~
16 ~~review))~~ Administrative procedures, administrative requirements, and
17 fees shall be established as provided in RCW 43.70.250 and 43.70.280.
18 The practice arrangement plan shall delineate the manner and extent to
19 which the physician assistant would practice and be supervised.
20 Whenever a physician assistant is practicing in a manner inconsistent
21 with the approved practice arrangement plan, the medical ~~((disciplinary~~
22 ~~board [commission])~~) commission may take disciplinary action under
23 chapter 18.130 RCW.

24 **Sec. 41.** RCW 18.59.110 and 1991 c 3 s 156 are each amended to read
25 as follows:

26 ~~((The secretary shall prescribe and publish fees in amounts~~
27 ~~determined by the secretary as provided in RCW 43.70.250 for the~~
28 ~~following purposes:~~

- 29 ~~(1) Application for examination;~~
30 ~~(2) Initial license fee;~~
31 ~~(3) Renewal of license fee;~~
32 ~~(4) Late renewal fee; and~~
33 ~~(5) Limited permit fee.~~

34 ~~The fees shall be set in such an amount as to reimburse the state,~~
35 ~~to the extent feasible, for the cost of the services rendered))~~
36 Administrative procedures, administrative requirements, and fees shall

1 be established as provided in RCW 43.70.250 and 43.70.280 for
2 applications, initial and renewal licenses, and limited permits.

3 **Sec. 42.** RCW 18.64.040 and 1989 1st ex.s. c 9 s 413 are each
4 amended to read as follows:

5 Every applicant for license examination under this chapter shall
6 pay the sum determined by the secretary under RCW 43.70.250 and
7 43.70.280 before the examination is attempted.

8 **Sec. 43.** RCW 18.64.043 and 1991 c 229 s 3 are each amended to read
9 as follows:

10 (1) The owner of each pharmacy shall pay an original license fee to
11 be determined by the secretary, and annually thereafter, on or before
12 a date to be determined by the secretary, a fee to be determined by the
13 secretary, for which he or she shall receive a license of location,
14 which shall entitle the owner to operate such pharmacy at the location
15 specified, or such other temporary location as the secretary may
16 approve, for the period ending on a date to be determined by the
17 secretary as provided in RCW 43.70.250 and 43.70.280, and each such
18 owner shall at the time of filing proof of payment of such fee as
19 provided in RCW 18.64.045 as now or hereafter amended, file with the
20 department on a blank therefor provided, a declaration of ownership and
21 location, which declaration of ownership and location so filed as
22 aforesaid shall be deemed presumptive evidence of ownership of the
23 pharmacy mentioned therein.

24 (2) It shall be the duty of the owner to immediately notify the
25 department of any change of location or ownership and to keep the
26 license of location or the renewal thereof properly exhibited in said
27 pharmacy.

28 (3) Failure to comply with this section shall be deemed a
29 misdemeanor, and each day that said failure continues shall be deemed
30 a separate offense.

31 (4) In the event such license fee remains unpaid on the date due,
32 no renewal or new license shall be issued except upon (~~payment of the~~
33 ~~license renewal fee and a penalty fee equal to the original license~~
34 ~~fee~~) compliance with administrative procedures, administrative
35 requirements, and fees determined as provided in RCW 43.70.250 and
36 43.70.280.

1 **Sec. 44.** RCW 18.64.045 and 1991 c 229 s 4 are each amended to read
2 as follows:

3 The owner of each and every place of business which manufactures
4 drugs shall pay a license fee to be determined by the secretary, and
5 thereafter, on or before a date to be determined by the secretary, a
6 fee to be determined by the secretary as provided in RCW 43.70.250 and
7 43.70.280, for which the owner shall receive a license of location from
8 the department, which shall entitle the owner to manufacture drugs at
9 the location specified for the period ending on a date to be determined
10 by the ((board)) secretary, and each such owner shall at the time of
11 payment of such fee file with the department, on a blank therefor
12 provided, a declaration of ownership and location, which declaration of
13 ownership and location so filed as aforesaid shall be deemed
14 presumptive evidence of the ownership of such place of business
15 mentioned therein. It shall be the duty of the owner to notify
16 immediately the department of any change of location or ownership and
17 to keep the license of location or the renewal thereof properly
18 exhibited in such place of business. Failure to conform with this
19 section shall be deemed a misdemeanor, and each day that said failure
20 continues shall be deemed a separate offense. In event such license
21 fee remains unpaid on the date due, no renewal or new license shall be
22 issued except upon ((payment of the license renewal fee and a penalty
23 fee equal to the license renewal fee)) compliance with administrative
24 procedures, administrative requirements, and fees determined as
25 provided in RCW 43.70.250 and 43.70.280.

26 **Sec. 45.** RCW 18.64.046 and 1991 c 229 s 5 are each amended to read
27 as follows:

28 The owner of each place of business which sells legend drugs and
29 nonprescription drugs, or nonprescription drugs at wholesale shall pay
30 a license fee to be determined by the secretary, and thereafter, on or
31 before a date to be determined by the secretary as provided in RCW
32 43.70.250 and 43.70.280, a like fee to be determined by the secretary,
33 for which the owner shall receive a license of location from the
34 department, which shall entitle such owner to either sell legend drugs
35 and nonprescription drugs or nonprescription drugs at wholesale at the
36 location specified for the period ending on a date to be determined by
37 the ((board)) secretary, and each such owner shall at the time of
38 payment of such fee file with the department, on a blank therefor

1 provided, a declaration of ownership and location, which declaration of
2 ownership and location so filed as aforesaid shall be deemed
3 presumptive evidence of the ownership of such place of business
4 mentioned therein. It shall be the duty of the owner to notify
5 immediately the department of any change of location and ownership and
6 to keep the license of location or the renewal thereof properly
7 exhibited in such place of business. Failure to conform with this
8 section shall be deemed a misdemeanor, and each day that said failure
9 continues shall be deemed a separate offense. In event such license
10 fee remains unpaid on the date due, no renewal or new license shall be
11 issued except upon (~~payment of the license renewal fee and a penalty~~
12 ~~fee equal to the license renewal fee~~) compliance with administrative
13 procedures, administrative requirements, and fees determined as
14 provided in RCW 43.70.250 and 43.70.280.

15 **Sec. 46.** RCW 18.64.047 and 1991 c 229 s 6 are each amended to read
16 as follows:

17 Any itinerant vendor or any peddler of any nonprescription drug or
18 preparation for the treatment of disease or injury, shall pay a
19 registration fee determined by the secretary on a date to be determined
20 by the secretary as provided in RCW 43.70.250 and 43.70.280. The
21 department may issue a registration to such vendor on an approved
22 application made to the department. Any itinerant vendor or peddler
23 who shall vend or sell, or offer to sell to the public any such
24 nonprescription drug or preparation without having registered to do so
25 as provided in this section, shall be guilty of a misdemeanor and each
26 sale or offer to sell shall constitute a separate offense. In event
27 such registration fee remains unpaid on the date due, no renewal or new
28 registration shall be issued except upon (~~payment of the registration~~
29 ~~renewal fee and a penalty fee equal to the renewal fee~~) compliance
30 with administrative procedures, administrative requirements, and fees
31 determined as provided in RCW 43.70.250 and 43.70.280. This
32 registration shall not authorize the sale of legend drugs or controlled
33 substances.

34 **Sec. 47.** RCW 18.64.140 and 1991 c 229 s 7 are each amended to read
35 as follows:

36 Every licensed pharmacist who desires to practice pharmacy shall
37 secure from the department a license, the fee for which shall be

1 determined by the secretary under RCW 43.70.250 and 43.70.280. The
2 administrative procedures, administrative requirements, renewal fee,
3 and late renewal fee shall also be determined ((by the secretary))
4 under RCW 43.70.250 and 43.70.280. ((The date of renewal may be
5 established by the secretary by regulation and the department may by
6 regulation extend the duration of a licensing period for the purpose of
7 staggering renewal periods. Such regulation may provide a method for
8 imposing and collecting such additional proportional fee as may be
9 required for the extended period.)) Payment of this fee shall entitle
10 the licensee to a pharmacy law book, subsequent current mailings of all
11 additions, changes, or deletions in the pharmacy practice act, chapter
12 18.64 RCW, and all additions, changes, or deletions of pharmacy board
13 and department regulations. ((Pharmacists shall pay the license
14 renewal fee and a penalty equal to the license renewal fee for the late
15 renewal of their license.)) The current license shall be conspicuously
16 displayed to the public in the pharmacy to which it applies. Any
17 licensed pharmacist who desires to leave the active practice of
18 pharmacy in this state may secure from the department an inactive
19 license. The initial license and renewal fees shall be determined by
20 the secretary under RCW 43.70.250 and 43.70.280. The holder of an
21 inactive license may reactivate his or her license to practice pharmacy
22 in accordance with rules adopted by the board.

23 **Sec. 48.** RCW 18.64.205 and 1991 c 229 s 2 are each amended to read
24 as follows:

25 The board may adopt rules pursuant to this section authorizing a
26 retired active license status. An individual licensed pursuant to this
27 chapter, who is practicing only in emergent or intermittent
28 circumstances as defined by rule established by the board, may hold a
29 retired active license at a reduced renewal fee established by the
30 secretary under RCW 43.70.250 and 43.70.280. Such a license shall meet
31 the continuing education requirements, if any, established by the board
32 for renewals, and is subject to the provisions of the uniform
33 disciplinary act, chapter 18.130 RCW. Individuals who have entered
34 into retired status agreements with the disciplinary authority in any
35 jurisdiction shall not qualify for a retired active license under this
36 section.

1 **Sec. 49.** RCW 18.64.310 and 1989 1st ex.s. c 9 s 410 are each
2 amended to read as follows:

3 The department shall:

4 (1) Establish reasonable license and examination fees and fees for
5 services to other agencies in accordance with RCW 43.70.250 and
6 43.70.280. In cases where there are unanticipated demands for
7 services, the department may request payment for services directly from
8 the agencies for whom the services are performed, to the extent that
9 revenues or other funds are available. Drug-related investigations
10 regarding licensed health care practitioners shall be funded by an
11 appropriation to the department from the health professions account.
12 The payment may be made on either an advance or a reimbursable basis
13 as approved by the director of financial management;

14 (2) Employ, with confirmation by the board, an executive officer,
15 who shall be exempt from the provisions of chapter 41.06 RCW and who
16 shall be a pharmacist licensed in Washington, and employ inspectors,
17 investigators, chemists, and other persons as necessary to assist it
18 for any purpose which it may deem necessary;

19 (3) Investigate and prosecute, at the direction of the board,
20 including use of subpoena powers, violations of law or regulations
21 under its jurisdiction or the jurisdiction of the board of pharmacy;

22 (4) Make, at the direction of the board, inspections and
23 investigations of pharmacies and other places, including dispensing
24 machines, in which drugs or devices are stored, held, compounded,
25 dispensed, sold, or administered to the ultimate consumer, to take and
26 analyze any drugs or devices and to seize and condemn any drugs or
27 devices which are adulterated, misbranded, stored, held, dispensed,
28 distributed, administered, or compounded in violation of or contrary to
29 law. The written operating agreement between the department and the
30 board, as required by RCW 43.70.240 shall include provisions for the
31 department to involve the board in carrying out its duties required by
32 this section.

33 **Sec. 50.** RCW 18.64A.030 and 1989 1st ex.s. c 9 s 423 are each
34 amended to read as follows:

35 The board shall adopt, in accordance with chapter 34.05 RCW, rules
36 and regulations governing the extent to which pharmacy assistants may
37 perform services associated with the practice of pharmacy during
38 training and after successful completion of a training course. Such

1 regulations shall provide for the certification of pharmacy assistants
2 by the department at a fee determined by the secretary under RCW
3 43.70.250 and 43.70.280 according to the following levels of
4 classification:

5 (1) "Level A pharmacy assistants" may assist in performing, under
6 the immediate supervision and control of a licensed pharmacist,
7 manipulative, nondiscretionary functions associated with the practice
8 of pharmacy.

9 (2) "Level B pharmacy assistants" may perform, under the general
10 supervision of a licensed pharmacist, duties including but not limited
11 to, typing of prescription labels, filing, refiling, bookkeeping,
12 pricing, stocking, delivery, nonprofessional phone inquiries, and
13 documentation of third party reimbursements.

14 **Sec. 51.** RCW 18.64A.060 and 1989 1st ex.s. c 9 s 425 are each
15 amended to read as follows:

16 No pharmacy licensed in this state shall utilize the services of
17 pharmacy assistants without approval of the board.

18 Any pharmacy licensed in this state may apply to the board for
19 permission to use the services of pharmacy assistants. The application
20 shall be accompanied by a ~~((uniform))~~ fee ~~((to be determined by the
21 secretary))~~ and shall comply with administrative procedures and
22 administrative requirements set pursuant to RCW 43.70.250 and
23 43.70.280, shall detail the manner and extent to which the pharmacy
24 assistants would be used and supervised, and shall provide other
25 information in such form as the secretary may require.

26 The board may approve or reject such applications. In addition,
27 the board may modify the proposed utilization of pharmacy assistants
28 and approve the application as modified. ~~((No such approval shall
29 extend for more than one year, but approval once granted may be renewed
30 annually upon payment of a uniform fee as determined by the
31 secretary.))~~ Whenever it appears to the board that a pharmacy
32 assistant is being utilized in a manner inconsistent with the approval
33 granted, the board may withdraw such approval. In the event a hearing
34 is requested upon the rejection of an application, or upon the
35 withdrawal of approval, a hearing shall be conducted in accordance with
36 chapter 18.64 RCW, as now or hereafter amended, and appeal may be taken
37 in accordance with the Administrative Procedure Act, chapter 34.05 RCW.

1 **Sec. 52.** RCW 18.71.080 and 1994 sp.s. c 9 s 312 are each amended
2 to read as follows:

3 Every person licensed to practice medicine in this state shall
4 ~~((register with the secretary of health annually, and pay an annual~~
5 ~~renewal registration fee determined by the secretary as provided in RCW~~
6 ~~43.70.250)) pay licensing fees and renew his or her license in~~
7 ~~accordance with administrative procedures and administrative~~
8 ~~requirements adopted as provided in RCW 43.70.250 and 43.70.280.~~ The
9 commission may establish rules governing mandatory continuing education
10 requirements which shall be met by physicians applying for renewal of
11 licenses. The rules shall provide that mandatory continuing education
12 requirements may be met in part by physicians showing evidence of the
13 completion of approved activities relating to professional liability
14 risk management. ~~((Any failure to register and pay the annual renewal~~
15 ~~registration fee shall render the license invalid, but such license~~
16 ~~shall be reinstated upon written application therefor to the secretary,~~
17 ~~and payment to the state of a penalty fee determined by the secretary~~
18 ~~as provided in RCW 43.70.250, together with all delinquent annual~~
19 ~~license renewal fees: PROVIDED, HOWEVER, That any person who fails to~~
20 ~~renew the license for a period of three years, shall in no event be~~
21 ~~entitled to renew the license under this section. Such a person in~~
22 ~~order to obtain a license to practice medicine in this state, shall~~
23 ~~file an original application as provided for in this chapter, along~~
24 ~~with the requisite fee therefor.)) The commission, in its sole~~
25 ~~discretion, may permit ((such)) an applicant who has not renewed his or~~
26 ~~her license to be licensed without examination if it is satisfied that~~
27 ~~such applicant meets all the requirements for licensure in this state,~~
28 ~~and is competent to engage in the practice of medicine.~~

29 **Sec. 53.** RCW 18.71.085 and 1994 sp.s. c 9 s 313 are each amended
30 to read as follows:

31 The commission may adopt rules pursuant to this section authorizing
32 an inactive license status.

33 (1) An individual licensed pursuant to chapter 18.71 RCW may place
34 his or her license on inactive status. The holder of an inactive
35 license shall not practice medicine and surgery in this state without
36 first activating the license.

37 (2) The administrative procedures, administrative requirements, and
38 fee for inactive renewal ((fee)) shall be established ((by the

1 ~~secretary)) pursuant to RCW 43.70.250 and 43.70.280. ((Failure to~~
2 ~~renew an inactive license shall result in cancellation in the same~~
3 ~~manner as an active license.))~~

4 (3) An inactive license may be placed in an active status upon
5 compliance with rules established by the commission.

6 (4) Provisions relating to disciplinary action against a person
7 with a license shall be applicable to a person with an inactive
8 license, except that when disciplinary proceedings against a person
9 with an inactive license have been initiated, the license shall remain
10 inactive until the proceedings have been completed.

11 **Sec. 54.** RCW 18.71.095 and 1994 sp.s. c 9 s 315 are each amended
12 to read as follows:

13 The commission may, without examination, issue a limited license to
14 persons who possess the qualifications set forth herein:

15 (1) The commission may, upon the written request of the secretary
16 of the department of social and health services or the secretary of
17 corrections, issue a limited license to practice medicine in this state
18 to persons who have been accepted for employment by the department of
19 social and health services or the department of corrections as
20 physicians; who are licensed to practice medicine in another state of
21 the United States or in the country of Canada or any province or
22 territory thereof; and who meet all of the qualifications for licensure
23 set forth in RCW 18.71.050.

24 Such license shall permit the holder thereof to practice medicine
25 only in connection with patients, residents, or inmates of the state
26 institutions under the control and supervision of the secretary of the
27 department of social and health services or the department of
28 corrections.

29 (2) The commission may issue a limited license to practice medicine
30 in this state to persons who have been accepted for employment by a
31 county or city health department as physicians; who are licensed to
32 practice medicine in another state of the United States or in the
33 country of Canada or any province or territory thereof; and who meet
34 all of the qualifications for licensure set forth in RCW 18.71.050.

35 Such license shall permit the holder thereof to practice medicine
36 only in connection with his or her duties in employment with the city
37 or county health department.

1 (3) Upon receipt of a completed application showing that the
2 applicant meets all of the requirements for licensure set forth in RCW
3 18.71.050 except for completion of two years of postgraduate medical
4 training, and that the applicant has been appointed as a resident
5 physician in a program of postgraduate clinical training in this state
6 approved by the commission, the commission may issue a limited license
7 to a resident physician. Such license shall permit the resident
8 physician to practice medicine only in connection with his or her
9 duties as a resident physician and shall not authorize the physician to
10 engage in any other form of practice. Each resident physician shall
11 practice medicine only under the supervision and control of a physician
12 licensed in this state, but such supervision and control shall not be
13 construed to necessarily require the personal presence of the
14 supervising physician at the place where services are rendered.

15 (4)(a) Upon nomination by the dean of the school of medicine at the
16 University of Washington or the chief executive officer of a hospital
17 or other appropriate health care facility licensed in the state of
18 Washington, the commission may issue a limited license to a physician
19 applicant invited to serve as a teaching-research member of the
20 institution's instructional staff if the sponsoring institution and the
21 applicant give evidence that he or she has graduated from a recognized
22 medical school and has been licensed or otherwise privileged to
23 practice medicine at his or her location of origin. Such license shall
24 permit the recipient to practice medicine only within the confines of
25 the instructional program specified in the application and shall
26 terminate whenever the holder ceases to be involved in that program, or
27 at the end of one year, whichever is earlier. Upon request of the
28 applicant and the institutional authority, the license may be renewed
29 for no more than a total of two years.

30 (b) Upon nomination by the dean of the school of medicine of the
31 University of Washington or the chief executive officer of any hospital
32 or appropriate health care facility licensed in the state of
33 Washington, the commission may issue a limited license to an applicant
34 selected by the sponsoring institution to be enrolled in one of its
35 designated departmental or divisional fellowship programs provided that
36 the applicant shall have graduated from a recognized medical school and
37 has been granted a license or other appropriate certificate to practice
38 medicine in the location of the applicant's origin. Such license shall
39 permit the holder only to practice medicine within the confines of the

1 fellowship program to which he or she has been appointed and, upon the
2 request of the applicant and the sponsoring institution, the license
3 may be renewed by the commission for no more than a total of two years.

4 All persons licensed under this section shall be subject to the
5 jurisdiction of the commission to the same extent as other members of
6 the medical profession, in accordance with this chapter and chapter
7 18.130 RCW.

8 Persons applying for licensure and renewing licenses pursuant to
9 this section shall ~~((pay an application fee))~~ comply with
10 administrative procedures, administrative requirements, and fees
11 determined ((by the secretary)) as provided in RCW 43.70.250 ~~((and, in~~
12 ~~the event the license applied for is issued, a license fee at the rate~~
13 ~~provided for renewals of licenses generally. Licenses issued hereunder~~
14 ~~may be renewed annually pursuant to the provisions of RCW 18.71.080))~~
15 and 43.70.280. Any person who obtains a limited license pursuant to
16 this section may~~((, without an additional application fee,))~~ apply for
17 licensure under this chapter, but shall submit a new application form
18 and comply with all other licensing requirements of this chapter.

19 **Sec. 55.** RCW 18.71.205 and 1995 c 65 s 3 are each amended to read
20 as follows:

21 (1) The secretary of the department of health, in conjunction with
22 the advice and assistance of the emergency medical services licensing
23 and certification advisory committee as prescribed in RCW 18.73.050,
24 and the commission, shall prescribe:

25 (a) Practice parameters, training standards for, and levels of,
26 physician trained emergency medical service intermediate life support
27 technicians and paramedics;

28 (b) Minimum standards and performance requirements for the
29 certification and recertification of physician's trained emergency
30 medical service intermediate life support technicians and paramedics;
31 and

32 (c) Procedures for certification, recertification, and
33 decertification of physician's trained emergency medical service
34 intermediate life support technicians and paramedics.

35 (2) Initial certification shall be for a period ~~((of three years))~~
36 established by the secretary pursuant to RCW 43.70.250 and 43.70.280.

37 (3) Recertification shall be granted upon proof of continuing
38 satisfactory performance and education, and shall be for a period ~~((of~~

1 ~~three years~~) established by the secretary pursuant to RCW 43.70.250
2 and 43.70.280.

3 (4) As used in chapters 18.71 and 18.73 RCW, "approved medical
4 program director" means a person who:

5 (a) Is licensed to practice medicine and surgery pursuant to
6 chapter 18.71 RCW or osteopathy and surgery pursuant to chapter 18.57
7 RCW; and

8 (b) Is qualified and knowledgeable in the administration and
9 management of emergency care and services; and

10 (c) Is so certified by the department of health for a county, group
11 of counties, or cities with populations over four hundred thousand in
12 coordination with the recommendations of the local medical community
13 and local emergency medical services and trauma care council.

14 (5) The Uniform Disciplinary Act, chapter 18.130 RCW, governs
15 uncertified practice, the issuance and denial of certificates, and the
16 disciplining of certificate holders under this section. The secretary
17 shall be the disciplining authority under this section. Disciplinary
18 action shall be initiated against a person credentialed under this
19 chapter in a manner consistent with the responsibilities and duties of
20 the medical program director under whom such person is responsible.

21 (6) Such activities of (~~physician[s]~~) physician's trained
22 emergency medical service intermediate life support technicians and
23 paramedics shall be limited to actions taken under the express written
24 or oral order of medical program directors and shall not be construed
25 at any time to include free standing or nondirected actions, for
26 actions not presenting an emergency or life-threatening condition.

27 **Sec. 56.** RCW 18.71.400 and 1993 c 367 s 18 are each amended to
28 read as follows:

29 There is hereby levied to be collected by the department of health
30 from every physician and surgeon licensed pursuant to chapter 18.71 RCW
31 and every physician assistant licensed pursuant to chapter 18.71A RCW
32 (~~an annual~~) a medical disciplinary assessment equal to the license
33 renewal fee established by the secretary under RCW 43.70.250 and
34 43.70.280. The assessment levied pursuant to this section is in
35 addition to any license renewal fee (~~established under RCW~~
36 ~~43.70.250~~)).

1 **Sec. 57.** RCW 18.71A.020 and 1994 sp.s. c 9 s 319 are each amended
2 to read as follows:

3 (1) The commission shall adopt rules fixing the qualifications and
4 the educational and training requirements for licensure as a physician
5 assistant or for those enrolled in any physician assistant training
6 program. The requirements shall include completion of an accredited
7 physician assistant training program approved by the commission and
8 eligibility to take an examination approved by the commission, if the
9 examination tests subjects substantially equivalent to the curriculum
10 of an accredited physician assistant training program. Physician
11 assistants licensed by the board of medical examiners as of June 7,
12 1990, shall continue to be licensed.

13 (2)(a) The commission shall adopt rules governing the extent to
14 which:

15 (i) Physician assistant students may practice medicine during
16 training; and

17 (ii) Physician assistants may practice after successful completion
18 of a physician assistant training course.

19 (b) Such rules shall provide:

20 (i) That the practice of a physician assistant shall be limited to
21 the performance of those services for which he or she is trained; and

22 (ii) That each physician assistant shall practice medicine only
23 under the supervision and control of a physician licensed in this
24 state, but such supervision and control shall not be construed to
25 necessarily require the personal presence of the supervising physician
26 or physicians at the place where services are rendered.

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

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

38 (b) That the applicant is of good moral character; and

1 (c) That the applicant is physically and mentally capable of
2 practicing medicine as a physician 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 practice
6 as a physician assistant.

7 (4) The commission may approve, deny, or take other disciplinary
8 action upon the application for license as provided in the Uniform
9 Disciplinary Act, chapter 18.130 RCW. The license shall be renewed
10 ~~((on a periodic basis as determined by the secretary under RCW
11 43.70.280, upon payment of a fee determined by the secretary as
12 provided in RCW 43.70.250, and submission of a completed renewal
13 application, in addition to any late renewal penalty fees as determined
14 by the secretary as provided in RCW 43.70.250))~~ as determined under RCW
15 43.70.250 and 43.70.280. The commission may authorize the use of
16 alternative supervisors who are licensed either under chapter 18.57 or
17 18.71 RCW.

18 **Sec. 58.** RCW 18.71A.040 and 1994 sp.s. c 9 s 321 are each amended
19 to read as follows:

20 (1) No physician assistant practicing in this state shall be
21 employed or supervised by a physician or physician group without the
22 approval of the commission.

23 (2) Prior to commencing practice, a physician assistant licensed in
24 this state shall apply to the commission for permission to be employed
25 or supervised by a physician or physician group. The practice
26 arrangement plan shall be jointly submitted by the physician or
27 physician group and physician assistant. ~~((The secretary may charge a
28 fee as provided in RCW 43.70.250 to recover the cost for the plan
29 review))~~ Administrative procedures, administrative requirements, and
30 fees shall be established as provided in RCW 43.70.250 and 43.70.280.
31 The practice arrangement plan shall delineate the manner and extent to
32 which the physician assistant would practice and be supervised.
33 Whenever a physician assistant is practicing in a manner inconsistent
34 with the approved practice arrangement plan, the ~~((medical disciplinary
35 board [commission]))~~ commission may take disciplinary action under
36 chapter 18.130 RCW.

1 **Sec. 59.** RCW 18.74.050 and 1991 c 3 s 178 are each amended to read
2 as follows:

3 The secretary shall furnish a license upon the authority of the
4 board to any person who applies and who has qualified under the
5 provisions of this chapter. At the time of applying, the applicant
6 shall (~~pay to the state treasurer a fee determined by the secretary as~~
7 ~~provided in RCW 43.70.250)) comply with administrative procedures,
8 administrative requirements, and fees established pursuant to RCW
9 43.70.250 and 43.70.280. No person registered or licensed on July 24,
10 1983, as a physical therapist shall be required to pay an additional
11 fee for a license under this chapter.~~

12 **Sec. 60.** RCW 18.74.060 and 1991 c 3 s 179 are each amended to read
13 as follows:

14 Upon the recommendation of the board, the secretary shall license
15 as a physical therapist and shall furnish a license to any person who
16 is a physical therapist registered or licensed under the laws of
17 another state or territory, or the District of Columbia, if the
18 qualifications for such registration or license required of the
19 applicant were substantially equal to the requirements under this
20 chapter. At the time of making application, the applicant shall (~~pay~~
21 ~~to the state treasurer a fee determined by the secretary as provided in~~
22 ~~RCW 43.70.250)) comply with administrative procedures, administrative
23 requirements, and fees established pursuant to RCW 43.70.250 and
24 43.70.280.~~

25 **Sec. 61.** RCW 18.74.070 and 1991 c 3 s 180 are each amended to read
26 as follows:

27 Every licensed physical therapist shall apply to the secretary for
28 a renewal of the license and pay to the state treasurer a fee
29 determined by the secretary as provided in RCW 43.70.250 and 43.70.280.
30 (~~The license of a physical therapist who fails to renew the license~~
31 ~~within thirty days of the date set by the secretary for renewal shall~~
32 ~~automatically lapse. Within three years from the date of lapse and~~
33 ~~upon the recommendation of the board, the secretary may revive a lapsed~~
34 ~~license upon the payment of all past unpaid renewal fees and a penalty~~
35 ~~fee to be determined by the secretary. The board may require~~
36 ~~reexamination of an applicant whose license has lapsed for more than~~
37 ~~three years and who has not continuously engaged in lawful practice in~~

1 ~~another state or territory, or waive reexamination in favor of evidence~~
2 ~~of continuing education satisfactory to the board.))~~

3 **Sec. 62.** RCW 18.79.200 and 1994 sp.s. c 9 s 420 are each amended
4 to read as follows:

5 An applicant for a license to practice as a registered nurse,
6 advanced registered nurse practitioner, or licensed practical nurse
7 shall comply with administrative procedures, administrative
8 requirements, and ((pay a fee)) fees as determined ((by the secretary))
9 under RCW 43.70.250 ~~((to the state treasurer))~~ and 43.70.280.

10 **Sec. 63.** RCW 18.79.210 and 1994 sp.s. c 9 s 421 are each amended
11 to read as follows:

12 A license issued under this chapter ~~((, whether in an active or~~
13 ~~inactive status,))~~ must be renewed, except as provided in this chapter.
14 The licensee shall ~~((send the renewal form to the department with a~~
15 ~~renewal fee,))~~ comply with administrative procedures, administrative
16 requirements, and fees as determined ((by the secretary)) under RCW
17 43.70.250 ~~((, before the expiration date. Upon receipt of the renewal~~
18 ~~form and the appropriate fee, the department shall issue the licensee~~
19 ~~a license, which declares the holder to be a legal practitioner of~~
20 ~~registered nursing, advanced registered nursing practice, or licensed~~
21 ~~practical nursing, as appropriate, in either active or inactive status,~~
22 ~~for the period of time stated on the license))~~ and 43.70.280.

23 **Sec. 64.** RCW 18.83.060 and 1991 c 3 s 197 are each amended to read
24 as follows:

25 ~~((Each applicant for a license shall file with the secretary an~~
26 ~~application duly verified, in such form and setting forth such~~
27 ~~information as the board shall prescribe. An application fee~~
28 ~~determined by the secretary as provided in RCW 43.70.250 shall~~
29 ~~accompany each application))~~ Administrative procedures, administrative
30 requirements, and fees for applications and examinations shall be
31 established as provided in RCW 43.70.250 and 43.70.280.

32 **Sec. 65.** RCW 18.83.072 and 1995 c 198 s 12 are each amended to
33 read as follows:

1 (1) Examination of applicants shall be held in Olympia, Washington,
2 or at such other place as designated by the secretary, at least
3 annually at such times as the board may determine.

4 (2) Any applicant shall have the right to discuss with the board
5 his or her performance on the examination.

6 (3) Any applicant who fails to make a passing grade on the
7 examination may be allowed to retake the examination. Any applicant
8 who fails the examination a second time must obtain special permission
9 from the board to take the examination again.

10 ~~(4) ((The reexamination fee shall be the same as the application
11 fee set forth in RCW 18.83.060.~~

12 ~~(5))~~ The board may approve an examination prepared or administered
13 by a private testing agency or association of licensing authorities.

14 **Sec. 66.** RCW 18.83.080 and 1991 c 3 s 199 are each amended to read
15 as follows:

16 ~~((Upon forwarding to the secretary by))~~ The board ~~((of))~~ shall
17 forward to the secretary the name of each applicant entitled to a
18 license under this chapter~~((7))~~. The secretary shall promptly issue to
19 such applicant a license authorizing such applicant to use the title
20 "psychologist" ~~((for a period of one year. Said license shall be in
21 such form as the secretary shall determine))~~. Each licensed
22 psychologist shall keep his or her license displayed in a conspicuous
23 place in his or her principal place of business.

24 **Sec. 67.** RCW 18.83.082 and 1984 c 279 s 82 are each amended to
25 read as follows:

26 ~~((1) A valid receipt for an initial application for license
27 hereunder, provided the applicant meets the requirements of RCW
28 18.83.070 (1), (2), and (3), shall constitute a temporary permit to
29 practice psychology until the board completes action on the
30 application. The board must complete action within one year of the
31 date such receipt is issued.~~

32 ~~(2))~~ A person, not licensed in this state, who wishes to perform
33 practices under the provisions of this chapter for a period not to
34 exceed ninety days within a calendar year, must petition the board for
35 a temporary permit to perform such practices. If the person is
36 licensed or certified in another state deemed by the board to have

1 standards equivalent to this chapter, a permit may be issued. No fee
2 shall be charged for such temporary permit.

3 **Sec. 68.** RCW 18.83.090 and 1991 c 3 s 200 are each amended to read
4 as follows:

5 The board shall establish rules governing mandatory continuing
6 education requirements which shall be met by any psychologist applying
7 for a license renewal. (~~Each licensed psychologist shall pay to the~~
8 ~~health professions account, created in RCW 43.70.320, annually, at such~~
9 ~~time as determined by the board, an annual license renewal fee~~
10 ~~determined by the secretary under RCW 43.70.250. Upon receipt of the~~
11 ~~fee, the secretary shall issue a certificate of renewal in such form as~~
12 ~~the secretary shall determine)) Administrative procedures,
13 administrative requirements, and fees for renewal and reissue of
14 licenses shall be established as provided in RCW 43.70.250 and
15 43.70.280.~~

16 **Sec. 69.** RCW 18.83.105 and 1991 c 3 s 201 are each amended to read
17 as follows:

18 The board may issue certificates of qualification with appropriate
19 title to applicants who meet all the licensing requirements except the
20 possession of the degree of Doctor of Philosophy or its equivalent in
21 psychology from an accredited educational institution. These
22 certificates of qualification certify that the holder has been examined
23 by the board and is deemed competent to perform certain functions
24 within the practice of psychology under the periodic direct supervision
25 of a psychologist licensed by the board. Such functions will be
26 specified on the certificate issued by the board. Such applicant shall
27 (~~pay to the board of examiners a fee determined by the secretary as~~
28 ~~provided in RCW 43.70.250 for certification in a single area of~~
29 ~~qualification and a fee for amendment of the certificate to include~~
30 ~~each additional area of qualification)) comply with administrative
31 procedures, administrative requirements, and fees determined under RCW
32 43.70.250 and 43.70.280. Upon petition by a holder the board of
33 examiners may grant authority to function without immediate
34 supervision.~~

35 **Sec. 70.** RCW 18.83.170 and 1991 c 3 s 202 are each amended to read
36 as follows:

1 Upon (~~application accompanied by a fee determined by the secretary~~
2 ~~as provided in RCW 43.70.250~~) compliance with administrative
3 procedures, administrative requirements, and fees determined under RCW
4 43.70.250 and 43.70.280, the board may grant a license, without written
5 examination, to any applicant who has not previously failed any
6 examination held by the board of psychology of the state of Washington
7 and furnishes evidence satisfactory to the board that the applicant:
8 (1) Holds a doctoral degree with primary emphasis on psychology
9 from an accredited college or university; and
10 (2) Is licensed or certified to practice psychology in another
11 state or country in which the requirements for such licensing or
12 certification are, in the judgment of the board, essentially equivalent
13 to those required by this chapter and the rules and regulations of the
14 board. Such individuals must have been licensed or certified in
15 another state for a period of at least two years; or
16 (3) Is a diplomate in good standing of the American Board of
17 Examiners in Professional Psychology.

18 **Sec. 71.** RCW 18.84.100 and 1991 c 3 s 211 are each amended to read
19 as follows:

20 Applications for certification must be submitted on forms provided
21 by the secretary. The secretary may require any information and
22 documentation that reasonably relates to the determination of whether
23 the applicant meets the requirements for certification provided for in
24 this chapter and chapter 18.130 RCW. Each applicant shall (~~pay a~~
25 ~~fee~~) comply with administrative procedures, administrative
26 requirements, and fees determined by the secretary as provided in RCW
27 43.70.250 (~~which shall accompany the application~~) and 43.70.280.

28 **Sec. 72.** RCW 18.84.110 and 1994 sp.s. c 9 s 509 are each amended
29 to read as follows:

30 The secretary shall establish (~~by rule~~) the administrative
31 procedures, administrative requirements, and fees for renewal of
32 certificates as provided in RCW 43.70.250 and 43.70.280. (~~Failure to~~
33 ~~renew invalidates the certificate and all privileges granted by the~~
34 ~~certificate. In the event a certificate has lapsed for a period longer~~
35 ~~than three years, the certificant shall demonstrate competence to the~~
36 ~~satisfaction of the secretary by continuing education or under the~~
37 ~~other standards determined by the secretary.))~~

1 **Sec. 73.** RCW 18.84.120 and 1991 c 222 s 4 are each amended to read
2 as follows:

3 The secretary may issue a registration to an applicant who submits,
4 on forms provided by the department, the applicant's name, the address,
5 occupational title, name and location of business where applicant
6 performs his or her services, and other information as determined by
7 the secretary, including information necessary to determine whether
8 there are grounds for denial of registration under this chapter or
9 chapter 18.130 RCW. Each applicant shall pay a fee as determined by
10 the secretary as provided in RCW 43.70.250 and 43.70.280. The
11 secretary shall establish (~~by rule~~) the (~~procedural~~) administrative
12 procedures, administrative requirements, and fees for registration and
13 for renewal of registrations as provided in RCW 43.70.250 and
14 43.70.280.

15 **Sec. 74.** RCW 18.88A.120 and 1991 c 16 s 14 are each amended to
16 read as follows:

17 Applications for registration and certification shall be submitted
18 on forms provided by the secretary. The secretary may require any
19 information and documentation that reasonably relates to the need to
20 determine whether the applicant meets the criteria for registration and
21 certification credentialing provided for in this chapter and chapter
22 (~~18.120~~) 18.130 RCW. Each applicant shall (~~pay a fee determined by~~
23 ~~the secretary under RCW 43.70.250. The fee shall accompany the~~
24 ~~application~~) comply with administrative procedures, administrative
25 requirements, and fees determined by the secretary under RCW 43.70.250
26 and 43.70.280.

27 **Sec. 75.** RCW 18.88A.130 and 1994 sp.s. c 9 s 715 are each amended
28 to read as follows:

29 (~~The secretary shall establish by rule the procedural requirements~~
30 ~~and fees for renewal of a registration or certificate. Failure to~~
31 ~~renew shall invalidate the credential and all privileges granted by the~~
32 ~~credential. If a certificate has lapsed for a period longer than three~~
33 ~~years, the person shall demonstrate competence to the satisfaction of~~
34 ~~the commission by taking continuing education courses, or meeting other~~
35 ~~standards determined by the commission~~) Registrations and
36 certifications shall be renewed according to administrative procedures,

1 administrative requirements, and fees determined by the secretary under
2 RCW 43.70.250 and 43.70.280.

3 **Sec. 76.** RCW 18.89.110 and 1991 c 3 s 234 are each amended to read
4 as follows:

5 (1) The date and location of the examination shall be established
6 by the secretary. Applicants who have been found by the secretary to
7 meet the other requirements for certification shall be scheduled for
8 the next examination following the filing of the application. However,
9 the applicant shall not be scheduled for any examination taking place
10 sooner than sixty days after the application is filed.

11 (2) The secretary shall examine each applicant, by means determined
12 most effective, on subjects appropriate to the scope of practice. Such
13 examinations shall be limited to the purpose of determining whether the
14 applicant possesses the minimum skill and knowledge necessary to
15 practice competently, and shall meet generally accepted standards of
16 fairness and validity for certification examinations.

17 (3) All examinations shall be conducted by the secretary, and all
18 grading of the examinations shall be under fair and wholly impartial
19 methods.

20 (4) Any applicant who fails to make the required grade in the first
21 examination is entitled to take up to three subsequent examinations,
22 upon ~~((the prepayment of a fee determined by the secretary as provided~~
23 ~~in RCW 43.70.250 for each subsequent examination. Upon failure of four~~
24 ~~examinations, the secretary may invalidate the original application))~~
25 compliance with administrative procedures, administrative requirements,
26 and fees determined by the secretary under RCW 43.70.250 and 43.70.280
27 and ~~((require))~~ such remedial education as is deemed necessary.

28 (5) The secretary may approve an examination prepared and
29 administered by a private testing agency or association of
30 credentialing boards for use by an applicant in meeting the
31 certification requirement.

32 **Sec. 77.** RCW 18.89.120 and 1991 c 3 s 235 are each amended to read
33 as follows:

34 Applications for certification shall be submitted on forms provided
35 by the secretary. The secretary may require any information and
36 documentation which reasonably relates to the need to determine whether
37 the applicant meets the criteria for certification provided in this

1 chapter and chapter 18.130 RCW. All (~~applications~~) applicants shall
2 (~~be accompanied by a fee~~) comply with administrative procedures,
3 administrative requirements, and fees determined by the secretary under
4 RCW 43.70.250 and 43.70.280.

5 **Sec. 78.** RCW 18.89.140 and 1991 c 3 s 237 are each amended to read
6 as follows:

7 (~~The secretary shall establish by rule the requirements and fees~~
8 ~~for renewal of certificates. Failure to renew shall invalidate the~~
9 ~~certificate and all privileges granted by the certificate. In the~~
10 ~~event a certificate has lapsed for a period longer than three years,~~
11 ~~the certified respiratory care practitioner shall demonstrate~~
12 ~~competence to the satisfaction of the secretary by continuing education~~
13 ~~or under the other standards determined by the secretary)) Certificates
14 shall be renewed according to administrative procedures, administrative
15 requirements , and fees determined by the secretary under RCW 43.70.250
16 and 43.70.280.~~

17 **Sec. 79.** RCW 18.92.140 and 1993 c 78 s 6 are each amended to read
18 as follows:

19 Each person now qualified to practice veterinary medicine, surgery,
20 and dentistry, registered as an animal technician, or registered as a
21 veterinary medication clerk in this state or who becomes licensed or
22 registered to engage in practice shall (~~register with the secretary of~~
23 ~~health annually or on the date prescribed by the secretary and pay the~~
24 ~~renewal registration fee set by the secretary as provided in RCW~~
25 ~~43.70.250. A person who fails to renew a license or certificate before~~
26 ~~its expiration is subject to a late renewal fee equal to one third of~~
27 ~~the regular renewal fee set by the secretary)) comply with
28 administrative procedures, administrative requirements, and fees
29 determined as provided in RCW 43.70.250 and 43.70.280.~~

30 **Sec. 80.** RCW 18.92.145 and 1993 c 78 s 7 are each amended to read
31 as follows:

32 (~~The secretary shall determine the~~) Administrative procedures,
33 administrative requirements, and fees(~~()~~) shall be established as
34 provided in RCW 43.70.250(~~()~~) and 43.70.280 for the issuance, renewal,
35 or administration of the following licenses, certificates of
36 registration, permits, duplicate licenses, renewals, or examination:

- 1 (1) For a license to practice veterinary medicine, surgery, and
2 dentistry issued upon an examination given by the examining board;
- 3 (2) For a license to practice veterinary medicine, surgery, and
4 dentistry issued upon the basis of a license issued in another state;
- 5 (3) For a certificate of registration as an animal technician;
- 6 (4) For a certificate of registration as a veterinary medication
7 clerk;
- 8 (5) For a temporary permit to practice veterinary medicine,
9 surgery, and dentistry. The temporary permit fee shall be accompanied
10 by the full amount of the examination fee; and
- 11 (6) For a license to practice specialized veterinary medicine.

12 **Sec. 81.** RCW 18.108.060 and 1991 c 3 s 256 are each amended to
13 read as follows:

14 ~~((All licenses issued under the provisions of this chapter, unless
15 otherwise provided shall expire on the annual anniversary date of the
16 individual's date of birth.~~

17 ~~The secretary shall prorate the licensing fee for massage
18 practitioner based on one twelfth of the annual license fee for each
19 full calendar month between the issue date and the next anniversary of
20 the applicant's birth date, a date used as the expiration date of such
21 license.~~

22 ~~Every applicant for a license shall pay an examination fee
23 determined by the secretary as provided in RCW 43.70.250, which fee
24 shall accompany their application. Applications for licensure shall be
25 submitted on forms provided by the secretary.~~

26 ~~Applicants granted a license under this chapter shall pay to the
27 secretary a license fee determined by the secretary as provided in RCW
28 43.70.250, prior to the issuance of their license, and an annual
29 renewal fee determined by the secretary as provided in RCW 43.70.250.
30 Failure to renew shall invalidate the license and all privileges
31 granted to the licensee, but such license may be reinstated upon
32 written application to the secretary and payment to the state of all
33 delinquent fees and penalties as determined by the secretary. In the
34 event a license has lapsed for a period longer than three years, the
35 licensee shall demonstrate competence to the satisfaction of the
36 secretary by proof of continuing education or other standard determined
37 by the secretary with the advice of the board)) Each applicant and
38 license holder shall comply with administrative procedures,~~

1 administrative requirements, and fees set by the secretary under RCW
2 43.70.250 and 43.70.280.

3 **Sec. 82.** RCW 18.135.050 and 1991 c 3 s 274 are each amended to
4 read as follows:

5 (1) Any health care facility may certify a health care assistant to
6 perform the functions authorized in this chapter in that health care
7 facility; and any health care practitioner may certify a health care
8 assistant capable of performing such services in any health care
9 facility, or in his or her office, under a health care practitioner's
10 supervision. Before certifying the health care assistant, the health
11 care facility or health care practitioner shall verify that the health
12 care assistant has met the minimum requirements established by the
13 secretary under this chapter. These requirements shall not prevent the
14 certifying entity from imposing such additional standards as the
15 certifying entity considers appropriate. The health care facility or
16 health care practitioner shall provide the licensing authority with a
17 certified roster of health care assistants who are certified.

18 (2) Certification and recertification of a health care assistant
19 shall be effective for a period (~~of two years. Recertification is~~
20 ~~required at the end of this period~~) determined by the secretary under
21 RCW 43.70.250 and 43.70.280. Requirements for recertification shall be
22 (~~established by rule~~) determined by the secretary under RCW 43.70.250
23 and 43.70.280.

24 **Sec. 83.** RCW 18.135.055 and 1991 c 3 s 275 are each amended to
25 read as follows:

26 The health care facility or health care practitioner registering an
27 initial or continuing certification pursuant to the provisions of this
28 chapter shall (~~pay a~~) comply with administrative procedures,
29 administrative requirements, and fees determined by the secretary as
30 provided in RCW 43.70.250 and 43.70.280.

31 All fees collected under this section shall be credited to the
32 health professions account as required in RCW 43.70.320.

33 **Sec. 84.** RCW 18.138.040 and 1991 c 3 s 281 are each amended to
34 read as follows:

1 (1) If the applicant meets the qualifications as outlined in RCW
2 18.138.030(2), the secretary shall confer on such candidates the title
3 certified dietitian.

4 (2) If the applicant meets the qualifications as outlined in RCW
5 18.138.030(4), the secretary shall confer on such candidates the title
6 certified nutritionist.

7 (3) ~~((The application fee in an amount determined by the secretary
8 shall accompany the application))~~ Applicants for certification as a
9 certified dietitian or certified nutritionist shall comply with
10 administrative procedures, administrative requirements, and fees
11 determined by the secretary under RCW 43.70.250 and 43.70.280.

12 **Sec. 85.** RCW 18.138.060 and 1991 c 3 s 283 are each amended to
13 read as follows:

14 (1) Every person certified as a certified dietitian or certified
15 nutritionist shall ~~((pay a renewal registration fee determined by the
16 secretary as provided in RCW 43.70.250. The certificate of the person
17 shall be renewed for a period of one year or longer at the discretion
18 of the secretary))~~ renew the certification according to administrative
19 procedures, administrative requirements, and fees determined by the
20 secretary as provided in RCW 43.70.250 and 43.70.280.

21 (2) ~~((Any failure to register and pay the annual renewal
22 registration fee shall render the certificate invalid. The certificate
23 shall be reinstated upon: (a) Written application to the secretary;
24 (b) payment to the state of a penalty fee determined by the secretary;
25 and (c) payment to the state of all delinquent annual certificate
26 renewal fees.~~

27 (3) ~~Any person who fails to renew his or her certification for a
28 period of three years shall not be entitled to renew such certification
29 under this section. Such person, in order to obtain a certification as
30 a certified dietitian or certified nutritionist in this state, shall
31 file a new application under this chapter, along with the required fee,
32 and shall meet all requirements as the secretary provides.~~

33 (4)) All fees collected under this section shall be credited to
34 the health professions account as required.

35 **Sec. 86.** RCW 18.155.040 and 1990 c 3 s 804 are each amended to
36 read as follows:

1 In addition to any other authority provided by law, the secretary
2 shall have the following authority:

3 (1) To set ~~((all))~~ administrative procedures, administrative
4 requirements, and fees ~~((required in this chapter))~~ in accordance with
5 RCW 43.70.250 and 43.70.280;

6 (2) To establish forms necessary to administer this chapter;

7 (3) To issue a certificate to any applicant who has met the
8 education, training, and examination requirements for certification and
9 deny a certificate to applicants who do not meet the minimum
10 qualifications for certification. Proceedings concerning the denial of
11 certificates based on unprofessional conduct or impaired practice shall
12 be governed by the uniform disciplinary act, chapter 18.130 RCW;

13 (4) To hire clerical, administrative, and investigative staff as
14 needed to implement and administer this chapter and to hire individuals
15 including those certified under this chapter to serve as examiners or
16 consultants as necessary to implement and administer this chapter;

17 (5) To maintain the official department record of all applicants
18 and certifications;

19 (6) To conduct a hearing on an appeal of a denial of a certificate
20 on the applicant's failure to meet the minimum qualifications for
21 certification. The hearing shall be conducted pursuant to chapter
22 34.05 RCW;

23 (7) To issue subpoenas, statements of charges, statements of intent
24 to deny certificates, and orders and to delegate in writing to a
25 designee the authority to issue subpoenas, statements of charges, and
26 statements of intent to deny certificates;

27 (8) To determine the minimum education, work experience, and
28 training requirements for certification, including but not limited to
29 approval of educational programs;

30 (9) To prepare and administer or approve the preparation and
31 administration of examinations for certification;

32 (10) To establish by rule the procedure for appeal of an
33 examination failure;

34 (11) To adopt rules implementing a continuing competency program;

35 (12) To adopt rules in accordance with chapter 34.05 RCW as
36 necessary to implement this chapter.

37 **Sec. 87.** RCW 18.155.080 and 1990 c 3 s 808 are each amended to
38 read as follows:

1 The secretary shall establish ((by rule)) standards and procedures
2 for approval of the following:

3 (1) Educational programs and alternate training;

4 (2) Examination procedures;

5 (3) Certifying applicants who have a comparable certification in
6 another jurisdiction;

7 (4) Application method and forms;

8 (5) Requirements for renewals of certificates;

9 (6) Requirements of certified sex offender treatment providers who
10 seek inactive status;

11 (7) Other rules, policies, administrative procedures, and
12 administrative requirements as appropriate to carry out the purposes of
13 this chapter.

14 **Sec. 88.** RCW 42.17.310 and 1995 c 267 s 6 are each amended to read
15 as follows:

16 (1) The following are exempt from public inspection and copying:

17 (a) Personal information in any files maintained for students in
18 public schools, patients or clients of public institutions or public
19 health agencies, or welfare recipients.

20 (b) Personal information in files maintained for employees,
21 appointees, or elected officials of any public agency to the extent
22 that disclosure would violate their right to privacy.

23 (c) Information required of any taxpayer in connection with the
24 assessment or collection of any tax if the disclosure of the
25 information to other persons would (i) be prohibited to such persons by
26 RCW 82.32.330 or (ii) violate the taxpayer's right to privacy or result
27 in unfair competitive disadvantage to the taxpayer.

28 (d) Specific intelligence information and specific investigative
29 records compiled by investigative, law enforcement, and penology
30 agencies, and state agencies vested with the responsibility to
31 discipline members of any profession, the nondisclosure of which is
32 essential to effective law enforcement or for the protection of any
33 person's right to privacy.

34 (e) Information revealing the identity of persons who are witnesses
35 to or victims of crime or who file complaints with investigative, law
36 enforcement, or penology agencies, other than the public disclosure
37 commission, if disclosure would endanger any person's life, physical
38 safety, or property. If at the time a complaint is filed the

1 complainant, victim or witness indicates a desire for disclosure or
2 nondisclosure, such desire shall govern. However, all complaints filed
3 with the public disclosure commission about any elected official or
4 candidate for public office must be made in writing and signed by the
5 complainant under oath.

6 (f) Test questions, scoring keys, and other examination data used
7 to administer a license, employment, or academic examination.

8 (g) Except as provided by chapter 8.26 RCW, the contents of real
9 estate appraisals, made for or by any agency relative to the
10 acquisition or sale of property, until the project or prospective sale
11 is abandoned or until such time as all of the property has been
12 acquired or the property to which the sale appraisal relates is sold,
13 but in no event shall disclosure be denied for more than three years
14 after the appraisal.

15 (h) Valuable formulae, designs, drawings, and research data
16 obtained by any agency within five years of the request for disclosure
17 when disclosure would produce private gain and public loss.

18 (i) Preliminary drafts, notes, recommendations, and intra-agency
19 memorandums in which opinions are expressed or policies formulated or
20 recommended except that a specific record shall not be exempt when
21 publicly cited by an agency in connection with any agency action.

22 (j) Records which are relevant to a controversy to which an agency
23 is a party but which records would not be available to another party
24 under the rules of pretrial discovery for causes pending in the
25 superior courts.

26 (k) Records, maps, or other information identifying the location of
27 archaeological sites in order to avoid the looting or depredation of
28 such sites.

29 (l) Any library record, the primary purpose of which is to maintain
30 control of library materials, or to gain access to information, which
31 discloses or could be used to disclose the identity of a library user.

32 (m) Financial information supplied by or on behalf of a person,
33 firm, or corporation for the purpose of qualifying to submit a bid or
34 proposal for (i) a ferry system construction or repair contract as
35 required by RCW 47.60.680 through 47.60.750 or (ii) highway
36 construction or improvement as required by RCW 47.28.070.

37 (n) Railroad company contracts filed prior to July 28, 1991, with
38 the utilities and transportation commission under RCW 81.34.070, except

1 that the summaries of the contracts are open to public inspection and
2 copying as otherwise provided by this chapter.

3 (o) Financial and commercial information and records supplied by
4 private persons pertaining to export services provided pursuant to
5 chapter 43.163 RCW and chapter 53.31 RCW.

6 (p) Financial disclosures filed by private vocational schools under
7 chapter 28C.10 RCW.

8 (q) Records filed with the utilities and transportation commission
9 or attorney general under RCW 80.04.095 that a court has determined are
10 confidential under RCW 80.04.095.

11 (r) Financial and commercial information and records supplied by
12 businesses or individuals during application for loans or program
13 services provided by chapters 43.163, 43.160, 43.330, and 43.168 RCW,
14 or during application for economic development loans or program
15 services provided by any local agency.

16 (s) Membership lists or lists of members or owners of interests of
17 units in timeshare projects, subdivisions, camping resorts,
18 condominiums, land developments, or common-interest communities
19 affiliated with such projects, regulated by the department of
20 licensing, in the files or possession of the department.

21 (t) All applications for public employment, including the names of
22 applicants, resumes, and other related materials submitted with respect
23 to an applicant.

24 (u) The residential addresses and residential telephone numbers of
25 employees or volunteers of a public agency which are held by the agency
26 in personnel records, employment or volunteer rosters, or mailing lists
27 of employees or volunteers.

28 (v) The residential addresses and residential telephone numbers of
29 the customers of a public utility contained in the records or lists
30 held by the public utility of which they are customers.

31 (w)(i) The federal social security number of individuals governed
32 under chapter 18.130 RCW maintained in the files of the department of
33 health, except this exemption does not apply to requests made directly
34 to the department from federal, state, and local agencies of
35 government, and national and state licensing, credentialing,
36 investigatory, disciplinary, and examination organizations; (ii) the
37 current residential address and current residential telephone number of
38 a health care provider governed under chapter 18.130 RCW maintained in
39 the files of the department, if the provider requests that this

1 information be withheld from public inspection and copying, and
2 provides to the department an accurate alternate or business address
3 and business telephone number. On or after January 1, 1995, the
4 current residential address and residential telephone number of a
5 health care provider governed under RCW 18.130.140 maintained in the
6 files of the department shall automatically be withheld from public
7 inspection and copying (~~((if the provider has provided the department
8 with an accurate alternative or business address and telephone number))~~)
9 unless the provider specifically requests the information be released,
10 and except as provided for under RCW 42.17.260(9).

11 (x) Information obtained by the board of pharmacy as provided in
12 RCW 69.45.090.

13 (y) Information obtained by the board of pharmacy or the department
14 of health and its representatives as provided in RCW 69.41.044,
15 69.41.280, and 18.64.420.

16 (z) Financial information, business plans, examination reports, and
17 any information produced or obtained in evaluating or examining a
18 business and industrial development corporation organized or seeking
19 certification under chapter 31.24 RCW.

20 (aa) Financial and commercial information supplied to the state
21 investment board by any person when the information relates to the
22 investment of public trust or retirement funds and when disclosure
23 would result in loss to such funds or in private loss to the providers
24 of this information.

25 (bb) Financial and valuable trade information under RCW 51.36.120.

26 (cc) Client records maintained by an agency that is a domestic
27 violence program as defined in RCW 70.123.020 or 70.123.075 or a rape
28 crisis center as defined in RCW 70.125.030.

29 (dd) Information that identifies a person who, while an agency
30 employee: (i) Seeks advice, under an informal process established by
31 the employing agency, in order to ascertain his or her rights in
32 connection with a possible unfair practice under chapter 49.60 RCW
33 against the person; and (ii) requests his or her identity or any
34 identifying information not be disclosed.

35 (ee) Investigative records compiled by an employing agency
36 conducting a current investigation of a possible unfair practice under
37 chapter 49.60 RCW or of a possible violation of other federal, state,
38 or local laws prohibiting discrimination in employment.

1 (ff) Business related information protected from public inspection
2 and copying under RCW 15.86.110.

3 (gg) Financial, commercial, operations, and technical and research
4 information and data submitted to or obtained by the clean Washington
5 center in applications for, or delivery of, program services under
6 chapter 70.95H RCW.

7 (hh) Information and documents created specifically for, and
8 collected and maintained by a quality improvement committee pursuant to
9 RCW 43.70.510, regardless of which agency is in possession of the
10 information and documents.

11 (2) Except for information described in subsection (1)(c)(i) of
12 this section and confidential income data exempted from public
13 inspection pursuant to RCW 84.40.020, the exemptions of this section
14 are inapplicable to the extent that information, the disclosure of
15 which would violate personal privacy or vital governmental interests,
16 can be deleted from the specific records sought. No exemption may be
17 construed to permit the nondisclosure of statistical information not
18 descriptive of any readily identifiable person or persons.

19 (3) Inspection or copying of any specific records exempt under the
20 provisions of this section may be permitted if the superior court in
21 the county in which the record is maintained finds, after a hearing
22 with notice thereof to every person in interest and the agency, that
23 the exemption of such records is clearly unnecessary to protect any
24 individual's right of privacy or any vital governmental function.

25 (4) Agency responses refusing, in whole or in part, inspection of
26 any public record shall include a statement of the specific exemption
27 authorizing the withholding of the record (or part) and a brief
28 explanation of how the exemption applies to the record withheld.

29 NEW SECTION. **Sec. 89.** A new section is added to chapter 43.70 RCW
30 to read as follows:

31 The legislature finds that domestic violence is the leading cause
32 of injury among women and is linked to numerous health problems,
33 including depression, abuse of alcohol and other drugs, and suicide.
34 Despite the frequency of medical attention, few people are diagnosed as
35 victims of spousal abuse. The department, in consultation with the
36 disciplinary authorities as defined in RCW 18.130.040, shall establish,
37 within available department general funds, an ongoing domestic violence
38 education program as an integral part of its health professions

1 regulation. The purpose of the education program is to raise awareness
2 and educate health care professionals regarding the identification,
3 appropriate treatment, and appropriate referral of victims of domestic
4 violence. The disciplinary authorities having the authority to offer
5 continuing education may provide training in the dynamics of domestic
6 violence. No funds from the health professions account may be utilized
7 to fund activities under this section unless the disciplinary authority
8 authorizes expenditures from its proportions of the account. A
9 disciplinary authority may defray costs by authorizing a fee to be
10 charged for participants or materials relating to any sponsored
11 program.

12 NEW SECTION. **Sec. 90.** The following acts or parts of acts are
13 each repealed:

14 (1) RCW 18.30.110 and 1995 c 198 s 22 & 1995 c 1 s 12 (Initiative
15 Measure No. 607);

16 (2) RCW 18.32.120 and 1994 sp.s. c 9 s 214, 1991 c 3 s 64, 1989 c
17 202 s 20, 1985 c 7 s 24, 1975 1st ex.s. c 30 s 28, 1969 c 49 s 2, 1957
18 c 52 s 30, & 1953 c 93 s 5;

19 (3) RCW 18.53.055 and 1955 c 275 s 2;

20 (4) RCW 18.64A.065 and 1991 c 229 s 10;

21 (5) RCW 18.79.220 and 1994 sp.s. c 9 s 422; and

22 (6) RCW 18.83.100 and 1994 c 35 s 3, 1986 c 27 s 5, 1965 c 70 s 10,
23 & 1955 c 305 s 10.

24 NEW SECTION. **Sec. 91.** By December 31, 1997, the secretary shall
25 report to the appropriate standing committees of the legislature on the
26 implementation of this act and, after consulting with board and
27 commission members and representatives of health professional
28 associations, shall make recommendations about the extent authority to
29 establish administrative procedures and administrative requirements
30 should continue to be vested with the secretary.

Passed the House March 2, 1996.

Passed the Senate February 28, 1996.

Approved by the Governor March 28, 1996.

Filed in Office of Secretary of State March 28, 1996.