

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1863**

Chapter 366, Laws of 1999

56th Legislature  
1999 Regular Session

PART-TIME HEALTH COMMISSIONS--MEMBERS' COMPENSATION

EFFECTIVE DATE: 7/25/99

Passed by the House April 19, 1999  
Yeas 97 Nays 0

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

FRANK CHOPP  
**Speaker of the House of Representatives**

Passed by the Senate April 13, 1999  
Yeas 39 Nays 6

BRAD OWEN  
**President of the Senate**

Approved May 17, 1999

GARY LOCKE  
**Governor of the State of Washington**

CERTIFICATE

We, Dean R. Foster and Timothy A. Martin, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1863** as passed by the House of Representatives and the Senate on the dates hereon set forth.

DEAN R. FOSTER  
**Chief Clerk**

TIMOTHY A. MARTIN  
**Chief Clerk**

FILED

May 17, 1999 - 3:32 p.m.

**Secretary of State  
State of Washington**

---

HOUSE BILL 1863

---

AS AMENDED BY THE SENATE

Passed Legislature - 1999 Regular Session

State of Washington                      56th Legislature                      1999 Regular Session

By Representatives Skinner, Cody, Lovick and Campbell

Read first time 02/09/1999. Referred to Committee on Health Care.

1            AN ACT Relating to compensation for members of part-time health  
2 commissions; amending RCW 18.25.0171, 18.32.0361, 18.71.015, and  
3 18.79.090; and adding a new section to chapter 43.03 RCW.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 43.03 RCW  
6 to read as follows:

7            (1) Any part-time commission that has rule-making authority,  
8 performs quasi-judicial functions, has responsibility for the policy  
9 direction of a health profession credentialing program, and performs  
10 regulatory and licensing functions with respect to a health care  
11 profession licensed under Title 18 RCW shall be identified as a class  
12 five group for purposes of compensation.

13            (2) Except as otherwise provided in this section, each member of a  
14 class five group is eligible to receive compensation in an amount not  
15 to exceed two hundred fifty dollars for each day during which the  
16 member attends an official meeting of the group or performs statutorily  
17 prescribed duties approved by the chairperson of the group. A person  
18 shall not receive compensation for a day of service under this section  
19 if the person (a) occupies a position, normally regarded as full-time

1 in nature, in any agency of the federal government, Washington state  
2 government, or Washington state local government; and (b) receives any  
3 compensation from such government for working that day.

4 (3) Compensation may be paid a member under this section only if it  
5 is necessarily incurred in the course of authorized business consistent  
6 with the responsibilities of the commission established by law.

7 **Sec. 2.** RCW 18.25.0171 and 1994 sp.s. c 9 s 107 are each amended  
8 to read as follows:

9 The commission shall elect officers each year. Meetings of the  
10 commission are open to the public, except that the commission may hold  
11 executive sessions to the extent permitted by chapter 42.30 RCW. The  
12 secretary of health shall furnish such secretarial, clerical, and other  
13 assistance as the commission may require.

14 Each member of the commission shall be compensated in accordance  
15 with ((RCW 43.03.240)) section 1 of this act. Members shall be  
16 reimbursed for travel expenses incurred in the actual performance of  
17 their duties, as provided in RCW 43.03.050 and 43.03.060.

18 A majority of the commission members appointed and serving  
19 constitutes a quorum for the transaction of commission business. The  
20 affirmative vote of a majority of a quorum of the commission is  
21 required to carry a motion or resolution, to adopt a rule, or to pass  
22 a measure.

23 The commission may appoint members of panels of at least three  
24 members. A quorum for transaction of any business by a panel is a  
25 minimum of three members. A majority vote of a quorum of the panel is  
26 required to transact business delegated to it by the commission.

27 The members of the commission are immune from suit in an action,  
28 civil or criminal, based upon its disciplinary proceedings or other  
29 official acts performed in good faith as members of the commission.

30 The commission may, whenever the workload of the commission  
31 requires, request that the secretary appoint pro tempore members.  
32 While serving as members pro tempore persons have all the powers,  
33 duties, and immunities, and are entitled to the emoluments, including  
34 travel expenses, of the commission.

35 The commission shall prepare or determine the nature of the  
36 examinations for applicants to practice chiropractic.

1       The commission may adopt such rules as are consistent with this  
2 chapter as may be deemed necessary and proper to carry out the purposes  
3 of this chapter.

4       **Sec. 3.** RCW 18.32.0361 and 1994 sp.s. c 9 s 208 are each amended  
5 to read as follows:

6       Each member of the commission shall be compensated in accordance  
7 with ((RCW 43.03.240)) section 1 of this act. Members shall be  
8 reimbursed for travel expenses incurred in the actual performance of  
9 their duties, as provided in RCW 43.03.050 and 43.03.060. Commission  
10 members shall be compensated and reimbursed for their activities in  
11 developing or administering a multistate licensing examination, as  
12 provided in this chapter.

13       **Sec. 4.** RCW 18.71.015 and 1994 sp.s. c 9 s 303 are each amended to  
14 read as follows:

15       The Washington state medical quality assurance commission is  
16 established, consisting of thirteen individuals licensed to practice  
17 medicine in the state of Washington under this chapter, two individuals  
18 who are licensed as physician assistants under chapter 18.71A RCW, and  
19 four individuals who are members of the public. Each congressional  
20 district now existing or hereafter created in the state must be  
21 represented by at least one physician member of the commission. The  
22 terms of office of members of the commission are not affected by  
23 changes in congressional district boundaries. Public members of the  
24 commission may not be a member of any other health care licensing board  
25 or commission, or have a fiduciary obligation to a facility rendering  
26 health services regulated by the commission, or have a material or  
27 financial interest in the rendering of health services regulated by the  
28 commission.

29       The members of the commission shall be appointed by the governor.  
30 Members of the initial commission may be appointed to staggered terms  
31 of one to four years, and thereafter all terms of appointment shall be  
32 for four years. The governor shall consider such physician and  
33 physician assistant members who are recommended for appointment by the  
34 appropriate professional associations in the state. In appointing the  
35 initial members of the commission, it is the intent of the legislature  
36 that, to the extent possible, the existing members of the board of  
37 medical examiners and medical disciplinary board repealed under section

1 336, chapter 9, Laws of 1994 sp. sess. be appointed to the commission.  
2 No member may serve more than two consecutive full terms. Each member  
3 shall hold office until a successor is appointed.

4 Each member of the commission must be a citizen of the United  
5 States, must be an actual resident of this state, and, if a physician,  
6 must have been licensed to practice medicine in this state for at least  
7 five years.

8 The commission shall meet as soon as practicable after appointment  
9 and elect officers each year. Meetings shall be held at least four  
10 times a year and at such place as the commission determines and at such  
11 other times and places as the commission deems necessary. A majority  
12 of the commission members appointed and serving constitutes a quorum  
13 for the transaction of commission business.

14 The affirmative vote of a majority of a quorum of the commission is  
15 required to carry any motion or resolution, to adopt any rule, or to  
16 pass any measure. The commission may appoint panels consisting of at  
17 least three members. A quorum for the transaction of any business by  
18 a panel is a minimum of three members. A majority vote of a quorum of  
19 the panel is required to transact business delegated to it by the  
20 commission.

21 Each member of the commission shall be compensated in accordance  
22 with ((RCW 43.03.240)) section 1 of this act and in addition thereto  
23 shall be reimbursed for travel expenses incurred in carrying out the  
24 duties of the commission in accordance with RCW 43.03.050 and  
25 43.03.060. Any such expenses shall be paid from funds appropriated to  
26 the department of health.

27 Whenever the governor is satisfied that a member of a commission  
28 has been guilty of neglect of duty, misconduct, or malfeasance or  
29 misfeasance in office, the governor shall file with the secretary of  
30 state a statement of the causes for and the order of removal from  
31 office, and the secretary shall forthwith send a certified copy of the  
32 statement of causes and order of removal to the last known post office  
33 address of the member.

34 Vacancies in the membership of the commission shall be filled for  
35 the unexpired term by appointment by the governor.

36 The members of the commission are immune from suit in an action,  
37 civil or criminal, based on its disciplinary proceedings or other  
38 official acts performed in good faith as members of the commission.

1           Whenever the workload of the commission requires, the commission  
2 may request that the secretary appoint pro tempore members of the  
3 commission. When serving, pro tempore members of the commission have  
4 all of the powers, duties, and immunities, and are entitled to all of  
5 the emoluments, including travel expenses, of regularly appointed  
6 members of the commission.

7           **Sec. 5.** RCW 18.79.090 and 1994 sp.s. c 9 s 409 are each amended to  
8 read as follows:

9           Each commission member shall be compensated in accordance with  
10 (~~RCW 43.03.240~~) section 1 of this act and shall be paid travel  
11 expenses when away from home in accordance with RCW 43.03.050 and  
12 43.03.060.

          Passed the House April 19, 1999.

          Passed the Senate April 13, 1999.

          Approved by the Governor May 17, 1999.

          Filed in Office of Secretary of State May 17, 1999.