

SSB 6554 - S AMD 694

By Senators Franklin, Morton, Deccio, Thibaudeau

ADOPTED 02/17/2004

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that the health care
4 work force shortage is contributing to the health care crisis. The
5 legislature also finds that some unnecessary barriers exist that slow
6 or prevent qualified applicants from becoming credentialed health care
7 providers. The legislature further finds that eliminating these
8 initial barriers to licensure will contribute to state initiatives
9 directed toward easing the health care personnel shortage in
10 Washington.

11 **Sec. 2.** RCW 18.06.050 and 1991 c 3 s 7 are each amended to read as
12 follows:

13 Any person seeking to be examined shall present to the secretary at
14 least forty-five days before the commencement of the examination:

15 (1) A written application on a form or forms provided by the
16 secretary setting forth under affidavit such information as the
17 secretary may require; and

18 (2) Proof that the candidate has:

19 (a) Successfully completed a course, approved by the secretary, of
20 didactic training in basic sciences and acupuncture over a minimum
21 period of two academic years. The training shall include such subjects
22 as anatomy, physiology, (~~bacteriology,~~) microbiology, biochemistry,
23 pathology, hygiene, and a survey of western clinical sciences. The
24 basic science classes must be equivalent to those offered at the
25 collegiate level. However, if the applicant is a licensed chiropractor
26 under chapter 18.25 RCW or a naturopath licensed under chapter 18.36A
27 RCW, the requirements of this subsection relating to basic sciences may
28 be reduced by up to one year depending upon the extent of the

1 candidate's qualifications as determined under rules adopted by the
2 secretary;

3 (b) Successfully completed (~~a course, approved by the secretary,~~)
4 five hundred hours of clinical training in acupuncture (~~over a minimum~~
5 ~~period of one academic year. The training shall include a minimum of:~~
6 ~~(i) Twenty nine quarter credits of supervised practice, consisting of~~
7 ~~at least four hundred separate patient treatments involving a minimum~~
8 ~~of one hundred different patients, and (ii) one hundred hours or nine~~
9 ~~quarter credits of observation which shall include case presentation~~
10 ~~and discussion)) that is approved by the secretary.~~

11 **Sec. 3.** RCW 18.29.190 and 1993 c 323 s 2 are each amended to read
12 as follows:

13 (1) The department shall issue (~~a temporary~~) an initial limited
14 license without the examination required by this chapter to any
15 applicant who, as determined by the secretary:

16 (a) Holds a valid license in another state that allows the scope of
17 practice in subsection (3) (a) through (j) of this section;

18 (b) Is currently engaged in active practice in another state. For
19 the purposes of this section, "active practice" means five hundred
20 sixty hours of practice in the preceding twenty-four months;

21 (c) Files with the secretary documentation certifying that the
22 applicant:

23 (i) Has graduated from an accredited dental hygiene school approved
24 by the secretary;

25 (ii) Has successfully completed the dental hygiene national board
26 examination; and

27 (iii) Is licensed to practice in another state;

28 (d) Provides information as the secretary deems necessary
29 pertaining to the conditions and criteria of the uniform disciplinary
30 act, chapter 18.130 RCW;

31 (e) Demonstrates to the secretary a knowledge of Washington state
32 law pertaining to the practice of dental hygiene, including the
33 administration of legend drugs;

34 (f) Pays any required fees; and

35 (g) Meets requirements for AIDS education.

1 (2) The term of the (~~temporary~~) initial limited license issued
2 under this section is eighteen months and it is (~~nonrenewable~~)
3 renewable upon demonstration of successful passage of the examination
4 for administering local anesthetic and nitrous oxide/oxygen analgesia.

5 (3) A person practicing with (~~a temporary~~) an initial limited
6 license granted under this section has the authority to perform hygiene
7 procedures that are limited to:

- 8 (a) Oral inspection and measuring of periodontal pockets;
- 9 (b) Patient education in oral hygiene;
- 10 (c) Taking intra-oral and extra-oral radiographs;
- 11 (d) Applying topical preventive or prophylactic agents;
- 12 (e) Polishing and smoothing restorations;
- 13 (f) Oral prophylaxis and removal of deposits and stains from the
14 surface of the teeth;
- 15 (g) Recording health histories;
- 16 (h) Taking and recording blood pressure and vital signs;
- 17 (i) Performing subgingival and supragingival scaling; and
- 18 (j) Performing root planing.

19 (4)(a) A person practicing with (~~a temporary~~) an initial limited
20 license granted under this section may not perform the following dental
21 hygiene procedures unless authorized in (b) or (c) of this subsection:

- 22 (i) Give injections of local anesthetic;
- 23 (ii) Place restorations into the cavity prepared by a licensed
24 dentist and afterwards carve, contour, and adjust contacts and
25 occlusion of the restoration;
- 26 (iii) Soft tissue curettage; or
- 27 (iv) Administer nitrous oxide/oxygen analgesia.

28 (b) A person licensed in another state who can demonstrate
29 substantively equivalent licensing standards in the administration of
30 local anesthetic may receive a temporary endorsement to administer
31 local anesthesia.

32 (c) A person licensed in another state who can demonstrate
33 substantively equivalent licensing standards in restorative procedures
34 may receive a temporary endorsement for restorative procedures.

35 (5)(a) A person practicing with a renewed limited license granted
36 under this section may:

- 1 (i) Perform hygiene procedures as provided under subsection (3) of
- 2 this section;
- 3 (ii) Give injections of local anesthetic;
- 4 (iii) Perform soft tissue curretage; and
- 5 (iv) Administer nitrous oxide/oxygen analgesia.
- 6 (b) A person practicing with a renewed limited license granted
- 7 under this section may not place restorations into the cavity prepared
- 8 by a licensed dentist and afterwards carve, contour, and adjust
- 9 contacts and occlusion of the restoration.

10 **Sec. 4.** RCW 18.29.180 and 1991 c 3 s 57 are each amended to read
11 as follows:

12 The following practices, acts, and operations are excepted from the
13 operation of this chapter:

14 (1) The practice of dental hygiene in the discharge of official
15 duties by dental hygienists in the United States armed services, coast
16 guard, public health services, veterans' bureau, or bureau of Indian
17 affairs;

18 (2) Dental hygiene programs approved by the secretary and the
19 practice of dental hygiene by students in dental hygiene programs
20 approved by the secretary, when acting under the direction and
21 supervision of persons licensed under chapter 18.29 or 18.32 RCW acting
22 as instructors;

23 (3) The practice of dental hygiene by students in accredited dental
24 hygiene educational programs when acting under the direction and
25 supervision of instructors licensed under chapter 18.29 or 18.32 RCW.

26 **Sec. 5.** RCW 18.34.070 and 1991 c 3 s 76 are each amended to read
27 as follows:

28 Any applicant for a license shall be examined if he or she pays an
29 examination fee determined by the secretary as provided in RCW
30 43.70.250 and certifies under oath that he or she:

- 31 (1) Is eighteen years or more of age; and
- 32 (2) Has graduated from an accredited high school; and
- 33 (3) ~~((Is a citizen of the United States or has declared his or her~~
34 ~~intention of becoming such citizen in accordance with law; and~~
35 (4)) Is of good moral character; and

- 1 ~~((5))~~ (4) Has either:
- 2 (a) Had at least three years of apprenticeship training; or
- 3 (b) Successfully completed a prescribed course in opticianry in a
- 4 college or university approved by the secretary; or
- 5 (c) Been principally engaged in practicing as a dispensing optician
- 6 not in the state of Washington for five years.

7 **Sec. 6.** RCW 18.79.160 and 1994 sp.s. c 9 s 416 are each amended to

8 read as follows:

9 (1) An applicant for a license to practice as a registered nurse

10 shall submit to the commission:

- 11 (a) An attested written application on a department form;
- 12 (b) ~~((Written))~~ An official ~~((evidence of a diploma from))~~
- 13 transcript demonstrating graduation and successful completion of an
- 14 approved ~~((school))~~ program of nursing; and

15 (c) Any other official records specified by the commission.

16 (2) An applicant for a license to practice as an advanced

17 registered nurse practitioner shall submit to the commission:

- 18 (a) An attested written application on a department form;
- 19 (b) ~~((Written))~~ An official ~~((evidence of))~~ transcript
- 20 demonstrating graduation and successful completion of an advanced
- 21 registered nurse practitioner ~~((training))~~ program meeting criteria
- 22 established by the commission; and

23 (c) Any other official records specified by the commission.

24 (3) An applicant for a license to practice as a licensed practical

25 nurse shall submit to the commission:

- 26 (a) An attested written application on a department form;
- 27 (b) Written official evidence that the applicant is over the age of
- 28 eighteen;

29 (c) ~~((Written official evidence of a high school diploma or general~~

30 ~~education development certificate or diploma;~~

31 ~~((d) Written))~~ An official ~~((evidence of completion of))~~ transcript

32 demonstrating graduation and successful completion of an approved

33 practical nursing program, or its equivalent; and

34 ~~((e))~~ (d) Any other official records specified by the commission.

35 (4) At the time of submission of the application, the applicant for

1 a license to practice as a registered nurse, advanced registered nurse
2 practitioner, or licensed practical nurse must not be in violation of
3 chapter 18.130 RCW or this chapter.

4 (5) The commission shall establish by rule the criteria for
5 evaluating the education of all applicants.

6 NEW SECTION. **Sec. 7.** A new section is added to chapter 18.79 RCW
7 to read as follows:

8 A licensed practical nurse with an active license who has completed
9 the coursework of a nontraditional registered nurse program approved by
10 the commission can obtain the required clinical experience when: (1)
11 The experience is obtained under the immediate supervision of a
12 registered nurse who agrees to act as the preceptor with the
13 understanding that the licensed practical nurse is practicing under the
14 preceptor's registered nurse license. The preceptor must have an
15 unrestricted license with at least two years of clinical practice in
16 the same type of practice setting where the preceptorship will occur;
17 and (2) the experience is obtained within six months of completion of
18 the approved nontraditional program.

19 **Sec. 8.** RCW 18.83.050 and 1994 c 35 s 2 are each amended to read
20 as follows:

21 (1) The board shall adopt such rules as it deems necessary to carry
22 out its functions.

23 (2) The board shall examine the qualifications of applicants for
24 licensing under this chapter, to determine which applicants are
25 eligible for licensing under this chapter and shall forward to the
26 secretary the names of applicants so eligible.

27 (3) The board shall administer examinations to qualified applicants
28 on at least an annual basis. The board shall determine the subject
29 matter and scope of the examination(~~s and shall require both written~~
30 ~~and oral examinations of each applicant~~), except as provided in RCW
31 18.83.170. The board may allow applicants to take the ((written))
32 examination upon the granting of their doctoral degree before
33 completion of their internship for supervised experience.

34 (4) The board shall keep a complete record of its own proceedings,
35 of the questions given in examinations, of the names and qualifications

1 of all applicants, and the names and addresses of all licensed
2 psychologists. The examination paper of such applicant shall be kept
3 on file for a period of at least one year after examination.

4 (5) The board shall, by rule, adopt a code of ethics for
5 psychologists which is designed to protect the public interest.

6 (6) The board may require that persons licensed under this chapter
7 as psychologists obtain and maintain professional liability insurance
8 in amounts determined by the board to be practicable and reasonably
9 available.

10 **Sec. 9.** RCW 18.83.070 and 1995 c 198 s 11 are each amended to read
11 as follows:

12 An applicant for a license as "psychologist" must submit proof to
13 the board that:

14 (1) The applicant is of good moral character.

15 (2) The applicant holds a doctoral degree from a regionally
16 accredited institution, obtained from an integrated program of graduate
17 study in psychology as defined by rules of the board.

18 (3) The applicant has had no fewer than two years of supervised
19 experience(~~(, at least one of which shall have been obtained subsequent~~
20 ~~to the granting of the doctoral degree))~~). The board shall adopt rules
21 defining the circumstances under which supervised experience shall
22 qualify the candidate for licensure.

23 (4) The applicant has passed the (~~written or oral~~) examination or
24 examinations(~~(, or both, as prescribed))~~) required by the board.

25 Any person holding a valid license to practice psychology in the
26 state of Washington on June 7, 1984, shall be considered licensed under
27 this chapter.

28 **Sec. 10.** RCW 18.83.072 and 1996 c 191 s 65 are each amended to
29 read as follows:

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

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

1 ~~(3)~~) Any applicant who fails to make a passing grade on the
2 examination may be allowed to retake the examination. Any applicant
3 who fails the examination a second time must obtain special permission
4 from the board to take the examination again.

5 ~~((4))~~ (3) The board may approve an examination prepared or
6 administered by a private testing agency or association of licensing
7 authorities.

8 **Sec. 11.** RCW 18.83.082 and 1996 c 191 s 67 are each amended to
9 read as follows:

10 A person, not licensed in this state, who wishes to perform
11 practices under the provisions of this chapter for a period not to
12 exceed ninety days within a calendar year, must petition the board for
13 a temporary permit to perform such practices. If the person is
14 licensed or certified in another state deemed by the board to have
15 standards equivalent to this chapter, or if the person is a member of
16 a professional organization and holds a certificate deemed by the board
17 to meet standards equivalent to this chapter, a permit may be issued.
18 No fee shall be charged for such temporary permit.

19 **Sec. 12.** RCW 18.83.170 and 1996 c 191 s 70 are each amended to
20 read as follows:

21 Upon compliance with administrative procedures, administrative
22 requirements, and fees determined under RCW 43.70.250 and 43.70.280,
23 the board may grant a license, without ~~((written))~~ oral examination, to
24 any applicant who has not previously failed any examination held by the
25 board of psychology of the state of Washington and furnishes evidence
26 satisfactory to the board that the applicant:

27 (1) Holds a doctoral degree with primary emphasis on psychology
28 from an accredited college or university; and

29 (2)(a) Is licensed or certified to practice psychology in another
30 state or country in which the requirements for such licensing or
31 certification are, in the judgment of the board, essentially equivalent
32 to those required by this chapter and the rules and regulations of the
33 board. Such individuals must have been licensed or certified in
34 another state for a period of at least two years; or

1 ~~((3))~~ (b) Is a diplomate in good standing of the American Board
2 of Examiners in Professional Psychology; or

3 (c) Is a member of a professional organization and holds a
4 certificate deemed by the board to meet standards equivalent to this
5 chapter.

6 **Sec. 13.** RCW 18.89.050 and 1997 c 334 s 5 are each amended to read
7 as follows:

8 (1) In addition to any other authority provided by law, the
9 secretary may:

10 (a) Adopt rules, in accordance with chapter 34.05 RCW, necessary to
11 implement this chapter;

12 (b) Set all license, examination, and renewal fees in accordance
13 with RCW 43.70.250;

14 (c) Establish forms and procedures necessary to administer this
15 chapter;

16 (d) Issue a license to any applicant who has met the education,
17 training, and examination requirements for licensure;

18 (e) Hire clerical, administrative, and investigative staff as
19 needed to implement this chapter and hire individuals licensed under
20 this chapter to serve as examiners for any practical examinations;

21 (f) Approve those schools from which graduation will be accepted as
22 proof of an applicant's eligibility to take the licensure examination,
23 specifically requiring that applicants must have completed ~~((programs))~~
24 an accredited respiratory program with two-year curriculum;

25 (g) Prepare, grade, and administer, or determine the nature of, and
26 supervise the grading and administration of, examinations for
27 applicants for licensure;

28 (h) Determine whether alternative methods of training are
29 equivalent to formal education and establish forms, procedures, and
30 criteria for evaluation of an applicant's alternative training to
31 determine the applicant's eligibility to take the examination;

32 (i) Determine which states have legal credentialing requirements
33 equivalent to those of this state and issue licenses to individuals
34 legally credentialed in those states without examination;

35 (j) Define and approve any experience requirement for licensure;
36 and

1 (k) Appoint members of the profession to serve in an ad hoc
2 advisory capacity to the secretary in carrying out this chapter. The
3 members will serve for designated times and provide advice on matters
4 specifically identified and requested by the secretary. The members
5 shall be compensated in accordance with RCW 43.03.220 and reimbursed
6 for travel expenses under RCW 43.03.040 and 43.03.060.

7 (2) The provisions of chapter 18.130 RCW shall govern the issuance
8 and denial of licenses, unlicensed practice, and the disciplining of
9 persons licensed under this chapter. The secretary shall be the
10 disciplining authority under this chapter.

11 **Sec. 14.** RCW 18.89.110 and 1997 c 334 s 9 are each amended to read
12 as follows:

13 (1) The date and location of the examination shall be established
14 by the secretary. Applicants who have been found by the secretary to
15 meet the other requirements for licensure shall be scheduled for the
16 next examination following the filing of the application. However, the
17 applicant shall not be scheduled for any examination taking place
18 sooner than sixty days after the application is filed.

19 (2) The secretary shall examine each applicant, by means determined
20 most effective, on subjects appropriate to the scope of practice. Such
21 examinations shall be limited to the purpose of determining whether the
22 applicant possesses the minimum skill and knowledge necessary to
23 practice competently, and shall meet generally accepted standards of
24 fairness and validity for licensure examinations.

25 (3) All examinations shall be conducted by the secretary, and all
26 grading of the examinations shall be under fair and wholly impartial
27 methods.

28 (4) Any applicant who fails to make the required grade in the first
29 examination is entitled to take up to three subsequent examinations,
30 upon compliance with administrative procedures, administrative
31 requirements, and fees determined by the secretary under RCW 43.70.250
32 and 43.70.280 and such remedial education as is deemed necessary.

33 (5) Applicants who meet the educational criteria as established by
34 the national board for respiratory care to sit for the national board
35 for respiratory care's advanced practitioner exams, or who have been
36 issued the registered respiratory therapist credential by the national

1 board for respiratory care, shall be considered to have met the
2 educational criteria of this chapter, provided the criteria and
3 credential continue to be recognized by the secretary as equal to or
4 greater than the licensure standards in Washington. Applicants must
5 have verification submitted directly from the national board for
6 respiratory care to the department.

7 (6) The secretary may approve an examination prepared and
8 administered by a private testing agency or association of
9 credentialing boards for use by an applicant in meeting the licensure
10 requirement."

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By Senators Franklin, Morton, Deccio, Thibaudeau

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11 On page 1, line 2 of the title, after "professions;" strike the
12 remainder of the title and insert "amending RCW 18.06.050, 18.29.190,
13 18.29.180, 18.34.070, 18.79.160, 18.83.050, 18.83.070, 18.83.072,
14 18.83.082, 18.83.170, 18.89.050, and 18.89.110; adding a new section to
15 chapter 18.79 RCW; and creating a new section."

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