

HOUSE BILL REPORT

SHB 1848

As Passed House:

March 12, 2003

Title: An act relating to exempting certain medical devices from electrical licensing requirements.

Brief Description: Exempting the installation, maintenance, and repair of certain medical devices from electrician licensing requirements.

Sponsors: By House Committee on Commerce & Labor (originally sponsored by Representatives Conway and Chandler).

Brief History:

Committee Activity:

Commerce & Labor: 2/26/03, 3/3/03 [DPS].

Floor Activity:

Passed House: 3/12/03, 90-0.

Brief Summary of Substitute Bill

- Exempts certain medical devices from electrical licensing and certification requirements.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Conway, Chair; Wood, Vice Chair; Chandler, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Crouse, Holmquist, Hudgins, Kenney and McCoy.

Staff: Jill Reinmuth (786-7134).

Background:

All electrical installations and all "materials, devices, appliances and equipment" used in such installations must meet certain electrical safety standards. A person in the business of installing or maintaining equipment that conveys or is operated by electric current must have an electrical contractor license. A person working in the electrical construction

trade must have an appropriate certificate of competency. There are a number of exemptions to these general requirements.

Any device used in the diagnosis or treatment of disease or injury which does not violate the federal Medical Devices Amendment of 1976 is deemed to be in compliance with all requirements imposed by state law on electricians and electrical installations. This federal law was enacted to ensure the safety and effectiveness of "medical devices." It established a comprehensive regulatory scheme administered by the federal Food and Drug Administration.

Summary of Substitute Bill:

The installation, maintenance, and repair of medical devices deemed in compliance with all requirements imposed by state law on electricians and electrical installations are exempt from electrical licensing and certification requirements. Such work must be performed by qualified factory engineers or third-party service companies with equivalent training. Such work does not include providing electrical feeds into power distribution units or installation of conduits and raceways.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: (In support) This bill deals with high-end medical diagnostic and monitoring equipment. It will allow GE Medical Services and similar companies to continue providing timely and professional service, prevent costly slowdowns, control medical costs, and protect proprietary information. When this type of medical equipment goes down, the engineers should be able to do the work. This bill clarifies some obscure language, and closes any loopholes in state law. Although the Department of Labor and Industries (Department) is attempting to exempt this work from licensing and certification requirements in rule, there is some question as to whether the Department has authority to do so.

(In support with concerns) This bill has made progress. It is important to make sure the exemption is limited to work inside the box and not wiring outside the box. It is also important to make sure that the Department can easily enforce the exemption. Any exemptions from licensing and certification requirements are of concern.

(Neutral) By requiring that persons installing such equipment be factory-trained, this bill

raises the bar from the Department's proposed rule.

Testimony Against: None.

Testified: (In support) Martin Pallotti and Jan Gee, GE Medical Systems; and Robb Menaul, Washington State Hospital Association.

(In support with concerns) Richard King, International Brotherhood of Electrical Workers; and Larry Stevens, National Electrical Contractors Association.

(Neutral) Ron Fuller, Department of Labor and Industries.