
HOUSE BILL 1295

State of Washington

58th Legislature

2003 Regular Session

By Representatives Morrell, Bailey, Cody, Kenney and Campbell; by request of Department of Health

Read first time 01/22/2003. Referred to Committee on Health Care.

1 AN ACT Relating to eliminating barriers to initial licensure in
2 health professions; amending RCW 18.06.050, 18.34.070, 18.79.160,
3 18.83.050, 18.83.072, 18.92.070, 18.92.100, 18.155.020, 18.155.030, and
4 18.155.040; adding a new section to chapter 18.79 RCW; adding a new
5 section to chapter 18.155 RCW; and creating a new section.

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

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

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

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

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

4 (2) Proof that the candidate has:

5 (a) Successfully completed a course, approved by the secretary, of
6 didactic training in basic sciences and acupuncture over a minimum
7 period of two academic years. The training shall include such subjects
8 as anatomy, physiology, (~~bacteriology,~~) microbiology, biochemistry,
9 pathology, hygiene, and a survey of western clinical sciences. The
10 basic science classes must be equivalent to those offered at the
11 collegiate level. However, if the applicant is a licensed chiropractor
12 under chapter 18.25 RCW or a naturopath licensed under chapter 18.36A
13 RCW, the requirements of this subsection relating to basic sciences may
14 be reduced by up to one year depending upon the extent of the
15 candidate's qualifications as determined under rules adopted by the
16 secretary;

17 (b) Successfully completed (~~a course, approved by the secretary,~~)
18 five hundred hours of clinical training in acupuncture (~~over a minimum~~
19 ~~period of one academic year. The training shall include a minimum of:~~
20 ~~(i) Twenty nine quarter credits of supervised practice, consisting of~~
21 ~~at least four hundred separate patient treatments involving a minimum~~
22 ~~of one hundred different patients, and (ii) one hundred hours or nine~~
23 ~~quarter credits of observation which shall include case presentation~~
24 ~~and discussion)) that is approved by the secretary.~~

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

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

30 (1) Is eighteen years or more of age; and

31 (2) Has graduated from an accredited high school; and

32 (~~Is a citizen of the United States or has declared his or her~~
33 ~~intention of becoming such citizen in accordance with law; and~~

34 ~~(4))~~ Is of good moral character; and

35 (~~(5))~~ (4) Has either:

36 (a) Had at least three years of apprenticeship training; or

1 (b) Successfully completed a prescribed course in opticianry in a
2 college or university approved by the secretary; or

3 (c) Been principally engaged in practicing as a dispensing optician
4 not in the state of Washington for five years.

5 **Sec. 4.** RCW 18.79.160 and 1994 sp.s. c 9 s 416 are each amended to
6 read as follows:

7 (1) An applicant for a license to practice as a registered nurse
8 shall submit to the commission:

9 (a) An attested written application on a department form;

10 (b) ~~((Written))~~ An official ((evidence of a diploma from))
11 transcript demonstrating graduation and successful completion of an
12 approved ((school)) program of nursing; and

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

14 (2) An applicant for a license to practice as an advanced
15 registered nurse practitioner shall submit to the commission:

16 (a) An attested written application on a department form;

17 (b) ~~((Written))~~ An official ((evidence of)) transcript
18 demonstrating graduation and successful completion of an advanced
19 registered nurse practitioner ~~((training))~~ program meeting criteria
20 established by the commission; and

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

22 (3) An applicant for a license to practice as a licensed practical
23 nurse shall submit to the commission:

24 (a) An attested written application on a department form;

25 (b) ~~((Written official evidence that the applicant is over the age~~
26 ~~of eighteen;~~

27 ~~(c) Written official evidence of a high school diploma or general~~
28 ~~education development certificate or diploma;~~

29 ~~(d) Written))~~ An official ((evidence of completion of)) transcript
30 demonstrating graduation and successful completion of an approved
31 practical nursing program, or its equivalent; and

32 ~~((e))~~ (c) Any other official records specified by the commission.

33 (4) At the time of submission of the application, the applicant for
34 a license to practice as a registered nurse, advanced registered nurse
35 practitioner, or licensed practical nurse must not be in violation of
36 chapter 18.130 RCW or this chapter.

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

3 NEW SECTION. **Sec. 5.** A new section is added to chapter 18.79 RCW
4 to read as follows:

5 Licensed practical nurses with an active license who have completed
6 the coursework of their approved nontraditional registered nurse
7 program can obtain the required supervised clinical registered nurse
8 experience when: (1) The experience is obtained under the supervision
9 of a registered nurse preceptor who has an unrestricted license and at
10 least two years experience; and (2) the experience is obtained within
11 six months of completion of the approved nontraditional program.

12 **Sec. 6.** RCW 18.83.050 and 1994 c 35 s 2 are each amended to read
13 as follows:

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

16 (2) The board shall examine the qualifications of applicants for
17 licensing under this chapter, to determine which applicants are
18 eligible for licensing under this chapter and shall forward to the
19 secretary the names of applicants so eligible.

20 (3) The board shall administer examinations to qualified applicants
21 on at least an annual basis. The board shall determine the subject
22 matter and scope of the examination(~~(s and shall require both written~~
23 ~~and oral examinations of each applicant)~~), except as provided in RCW
24 18.83.170. The board may allow applicants to take the (~~written~~)
25 examination upon the granting of their doctoral degree before
26 completion of their internship for supervised experience.

27 (4) The board shall keep a complete record of its own proceedings,
28 of the questions given in examinations, of the names and qualifications
29 of all applicants, and the names and addresses of all licensed
30 psychologists. The examination paper of such applicant shall be kept
31 on file for a period of at least one year after examination.

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

34 (6) The board may require that persons licensed under this chapter
35 as psychologists obtain and maintain professional liability insurance

1 in amounts determined by the board to be practicable and reasonably
2 available.

3 **Sec. 7.** RCW 18.83.072 and 1996 c 191 s 65 are each amended to read
4 as follows:

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

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

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

14 ~~((4))~~ (3) The board may approve an examination prepared or
15 administered by a private testing agency or association of licensing
16 authorities.

17 **Sec. 8.** RCW 18.92.070 and 1991 c 3 s 242 are each amended to read
18 as follows:

19 No person, unless registered or licensed to practice veterinary
20 medicine, surgery, and dentistry in this state at the time this chapter
21 shall become operative, shall begin the practice of veterinary
22 medicine, surgery and dentistry without first applying for and
23 obtaining a license for such purpose from the secretary. In order to
24 procure a license to practice veterinary medicine, surgery, and
25 dentistry in the state of Washington, the applicant for such license
26 shall file his or her application at least sixty days prior to date of
27 examination upon a form furnished by the secretary of health, which, in
28 addition to the fee provided by this chapter, shall be accompanied by
29 satisfactory evidence that he or she is at least eighteen years of age
30 and of good moral character, and by official transcripts or other
31 evidence of graduation from a veterinary college satisfactory to and
32 approved by the board. Said application shall be signed by the
33 applicant ~~((and sworn to by him or her before some person authorized to
34 administer oaths))~~. When such application and the accompanying
35 evidence are found satisfactory, the secretary shall notify the

1 applicant to appear before the board for the next examination. In
2 addition, applicants shall be subject to grounds for denial or issuance
3 of a conditional license under chapter 18.130 RCW.

4 Nothing in this chapter shall preclude the board from permitting a
5 person who has completed a portion of his or her educational program as
6 determined by the board, in a veterinary college recognized by the
7 board, to take the examination or any part thereof prior to satisfying
8 the requirements for application for a license: PROVIDED HOWEVER, That
9 no license shall be issued to such applicant until such requirements
10 are satisfied.

11 **Sec. 9.** RCW 18.92.100 and 1995 c 198 s 14 are each amended to read
12 as follows:

13 Examinations for license to practice veterinary medicine, surgery
14 and dentistry shall be held at least once each year at such times and
15 places as the secretary may authorize and direct. The examination
16 shall be on subjects that are ordinarily included in the curricula of
17 veterinary colleges. ~~((All examinees shall be tested by written
18 examination, supplemented by such oral interviews and practical
19 demonstrations as the board deems necessary.))~~

20 **Sec. 10.** RCW 18.155.020 and 2001 2nd sp.s. c 12 s 401 are each
21 amended to read as follows:

22 Unless the context clearly requires otherwise, the definitions in
23 this section apply throughout this chapter:

24 (1) "Certified sex offender treatment provider" means a licensed,
25 certified, or registered health professional who is certified to
26 examine and treat sex offenders pursuant to chapters 9.94A and 13.40
27 RCW and sexually violent predators under chapter 71.09 RCW.

28 (2) "Certified affiliate sex offender treatment provider" means a
29 licensed, certified, or registered health professional who is certified
30 as an affiliate to examine and treat sex offenders pursuant to chapters
31 9.94A and 13.40 RCW and sexually violent predators under chapter 71.09
32 RCW under the supervision of a certified sex offender treatment
33 provider.

34 (3) "Department" means the department of health.

35 ~~((3))~~ (4) "Secretary" means the secretary of health.

1 ((+4)) (5) "Sex offender treatment provider" or "affiliate sex
2 offender treatment provider" means a person who counsels or treats sex
3 offenders accused of or convicted of a sex offense as defined by RCW
4 9.94A.030.

5 **Sec. 11.** RCW 18.155.030 and 2001 2nd sp.s. c 12 s 402 are each
6 amended to read as follows:

7 (1) No person shall represent himself or herself as a certified sex
8 offender treatment provider or certified affiliate sex offender
9 treatment provider without first applying for and receiving a
10 certificate pursuant to this chapter.

11 (2) Only a certified sex offender treatment provider or certified
12 affiliate sex offender treatment provider may perform or provide the
13 following services:

14 (a) Evaluations conducted for the purposes of and pursuant to RCW
15 9.94A.670 and 13.40.160;

16 (b) Treatment of convicted sex offenders who are sentenced and
17 ordered into treatment pursuant to chapter 9.94A RCW and adjudicated
18 juvenile sex offenders who are ordered into treatment pursuant to
19 chapter 13.40 RCW;

20 (c) Except as provided under subsection (3) of this section,
21 treatment of sexually violent predators who are conditionally released
22 to a less restrictive alternative pursuant to chapter 71.09 RCW.

23 (3) A certified sex offender treatment provider or certified
24 affiliate sex offender treatment provider may not perform or provide
25 treatment of sexually violent predators under subsection (2)(c) of this
26 section if the (~~certified sex offender~~) treatment provider has been:

27 (a) Convicted of a sex offense, as defined in RCW 9.94A.030;

28 (b) Convicted in any other jurisdiction of an offense that under
29 the laws of this state would be classified as a sex offense as defined
30 in RCW 9.94A.030; or

31 (c) Suspended or otherwise restricted from practicing any health
32 care profession by competent authority in any state, federal, or
33 foreign jurisdiction.

34 **Sec. 12.** RCW 18.155.040 and 1996 c 191 s 86 are each amended to
35 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 administrative procedures, administrative requirements,
4 and fees in accordance with RCW 43.70.250 and 43.70.280;

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

6 (3) To issue a certificate or an affiliate certificate to any
7 applicant who has met the education, training, and examination
8 requirements for certification or an affiliate certification and deny
9 a certificate to applicants who do not meet the minimum qualifications
10 for certification or affiliate certification. Proceedings concerning
11 the denial of certificates based on unprofessional conduct or impaired
12 practice shall be governed by the uniform disciplinary act, chapter
13 18.130 RCW;

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

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

20 (6) To conduct a hearing on an appeal of a denial of a certificate
21 on the applicant's failure to meet the minimum qualifications for
22 certification. The hearing shall be conducted pursuant to chapter
23 34.05 RCW;

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

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

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

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

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

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

1 NEW SECTION. **Sec. 13.** A new section is added to chapter 18.155
2 RCW to read as follows:

3 The department shall issue an affiliate certificate to any
4 applicant who meets the following requirements:

5 (1) Successful completion of an educational program approved by the
6 secretary or successful completion of alternate training which meets
7 the criteria of the secretary;

8 (2) Successful completion of an examination administered or
9 approved by the secretary;

10 (3) Not having engaged in unprofessional conduct or being unable to
11 practice with reasonable skill and safety as a result of a physical or
12 mental impairment; and

13 (4) Other requirements as may be established by the secretary that
14 impact the competence of the sex offender treatment provider.

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