
SUBSTITUTE HOUSE BILL 2262

State of Washington **58th Legislature** **2003 Regular Session**

By House Committee on Appropriations (originally sponsored by Representative Cody)

READ FIRST TIME 04/24/03.

1 AN ACT Relating to license and certificate fees for health care
2 providers; amending RCW 18.71.010, 18.73.030, 18.73.081, 43.70.110, and
3 43.70.250; and reenacting and amending RCW 18.71.205.

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

5 **Sec. 1.** RCW 18.71.010 and 1994 sp.s. c 9 s 302 are each amended to
6 read as follows:

7 The following terms used in this chapter shall have the meanings
8 set forth in this section unless the context clearly indicates
9 otherwise:

10 (1) "Commission" means the Washington state medical quality
11 assurance commission.

12 (2) "Compensation" has the same meaning as in chapter 18.73 RCW.

13 (3) "Secretary" means the secretary of health.

14 (~~(3)~~) (4) "Resident physician" means an individual who has
15 graduated from a school of medicine which meets the requirements set
16 forth in RCW 18.71.055 and is serving a period of postgraduate clinical
17 medical training sponsored by a college or university in this state or
18 by a hospital accredited by this state. For purposes of this chapter,

1 the term shall include individuals designated as intern or medical
2 fellow.

3 ~~((4))~~ (5) "Emergency medical care" or "emergency medical service"
4 has the same meaning as in chapter 18.73 RCW.

5 **Sec. 2.** RCW 18.71.205 and 1996 c 191 s 55 and 1996 c 178 s 6 are
6 each reenacted and amended to read as follows:

7 (1) The secretary of the department of health, in conjunction with
8 the advice and assistance of the emergency medical services licensing
9 and certification advisory committee as prescribed in RCW 18.73.050,
10 and the commission, shall prescribe:

11 (a) Practice parameters, training standards for, and levels of,
12 physician trained emergency medical service intermediate life support
13 technicians and paramedics;

14 (b) Minimum standards and performance requirements for the
15 certification and recertification of physician's trained emergency
16 medical service intermediate life support technicians and paramedics;
17 ~~((and))~~

18 (c) Procedures for certification, recertification, and
19 decertification of physician's trained emergency medical service
20 intermediate life support technicians and paramedics; and

21 (d) Appropriate fees under RCW 43.70.110 for those physician's
22 trained emergency medical service intermediate life support technicians
23 and paramedics who receive compensation.

24 (2) Initial certification shall be for a period established by the
25 secretary pursuant to RCW 43.70.250 and 43.70.280.

26 (3) Recertification shall be granted upon proof of continuing
27 satisfactory performance and education, and shall be for a period
28 established by the secretary pursuant to RCW 43.70.250 and 43.70.280.

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

31 (a) Is licensed to practice medicine and surgery pursuant to
32 chapter 18.71 RCW or osteopathic medicine and surgery pursuant to
33 chapter 18.57 RCW; and

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

36 (c) Is so certified by the department of health for a county, group

1 of counties, or cities with populations over four hundred thousand in
2 coordination with the recommendations of the local medical community
3 and local emergency medical services and trauma care council.

4 (5) The Uniform Disciplinary Act, chapter 18.130 RCW, governs
5 uncertified practice, the issuance and denial of certificates, and the
6 disciplining of certificate holders under this section. The secretary
7 shall be the disciplining authority under this section. Disciplinary
8 action shall be initiated against a person credentialed under this
9 chapter in a manner consistent with the responsibilities and duties of
10 the medical program director under whom such person is responsible.

11 (6) Such activities of physician's trained emergency medical
12 service intermediate life support technicians and paramedics shall be
13 limited to actions taken under the express written or oral order of
14 medical program directors and shall not be construed at any time to
15 include free standing or nondirected actions, for actions not
16 presenting an emergency or life-threatening condition.

17 **Sec. 3.** RCW 18.73.030 and 2000 c 93 s 16 are each amended to read
18 as follows:

19 Unless a different meaning is plainly required by the context, the
20 following words and phrases as used in this chapter shall have the
21 meanings indicated.

22 (1) "Secretary" means the secretary of the department of health.

23 (2) "Department" means the department of health.

24 (3) "Committee" means the emergency medical services licensing and
25 certification advisory committee.

26 (4) "Ambulance" means a ground or air vehicle designed and used to
27 transport the ill and injured and to provide personnel, facilities, and
28 equipment to treat patients before and during transportation.

29 (5) "Aid vehicle" means a vehicle used to carry aid equipment and
30 individuals trained in first aid or emergency medical procedure.

31 (6) "Emergency medical technician" means a person who is authorized
32 by the secretary to render emergency medical care pursuant to RCW
33 18.73.081.

34 (7) "Ambulance service" means an organization that operates one or
35 more ambulances.

36 (8) "Aid service" means an organization that operates one or more
37 aid vehicles.

1 (9) "Emergency medical service" means medical treatment and care
2 which may be rendered at the scene of any medical emergency or while
3 transporting any patient in an ambulance to an appropriate medical
4 facility, including ambulance transportation between medical
5 facilities.

6 (10) "Communications system" means a radio and landline network
7 which provides rapid public access, coordinated central dispatching of
8 services, and coordination of personnel, equipment, and facilities in
9 an emergency medical services and trauma care system.

10 (11) "Prehospital patient care protocols" means the written
11 procedure adopted by the emergency medical services medical program
12 director which direct the out-of-hospital emergency care of the
13 emergency patient which includes the trauma care patient. These
14 procedures shall be based upon the assessment of the patient's medical
15 needs and what treatment will be provided for emergency conditions.
16 The protocols shall meet or exceed statewide minimum standards
17 developed by the department in rule as authorized in chapter 70.168
18 RCW.

19 (12) "Patient care procedures" means written operating guidelines
20 adopted by the regional emergency medical services and trauma care
21 council, in consultation with the local emergency medical services and
22 trauma care councils, emergency communication centers, and the
23 emergency medical services medical program director, in accordance with
24 statewide minimum standards. The patient care procedures shall
25 identify the level of medical care personnel to be dispatched to an
26 emergency scene, procedures for triage of patients, the level of trauma
27 care facility to first receive the patient, and the name and location
28 of other trauma care facilities to receive the patient should an
29 interfacility transfer be necessary. Procedures on interfacility
30 transfer of patients shall be consistent with the transfer procedures
31 in chapter 70.170 RCW.

32 (13) "Emergency medical services medical program director" means a
33 person who is an approved medical program director as defined by RCW
34 18.71.205(4).

35 (14) "Council" means the local or regional emergency medical
36 services and trauma care council as authorized under chapter 70.168
37 RCW.

1 (15) "Basic life support" means noninvasive emergency medical
2 services requiring basic medical treatment skills as defined in chapter
3 18.73 RCW.

4 (16) "Advanced life support" means invasive emergency medical
5 services requiring advanced medical treatment skills as defined by
6 chapter 18.71 RCW.

7 (17) "First responder" means a person who is authorized by the
8 secretary to render emergency medical care as defined by RCW 18.73.081.

9 (18) "Compensation" means regular payment for providing emergency
10 medical care in the course of employment, but does not include nominal
11 payments, reimbursement for expenses, or payments made to volunteer
12 part-time and volunteer on-call personnel of fire departments, fire
13 districts, ambulance districts, aid or ambulance services, or any
14 emergency response organization.

15 **Sec. 4.** RCW 18.73.081 and 1993 c 254 s 1 are each amended to read
16 as follows:

17 In addition to other duties prescribed by law, the secretary shall:

18 (1) Prescribe minimum requirements for:

19 (a) Ambulance, air ambulance, and aid vehicles and equipment;

20 (b) Ambulance and aid services; and

21 (c) Minimum emergency communication equipment;

22 (2) Adopt procedures for services that fail to perform in
23 accordance with minimum requirements;

24 (3) Prescribe minimum standards and procedures for the
25 certification, recertification, decertification, or modification of
26 certificates for first responders and emergency medical technicians
27 including:

28 (a) Adoption of periods of certification; and

29 (b) Adoption of appropriate fees under RCW 43.70.110 for those
30 first responders and emergency medical technicians who receive
31 compensation;

32 (4) Prescribe minimum standards for first responder and emergency
33 medical technician training including:

34 (a) Adoption of curriculum (~~(and period of certification)~~);

35 (b) (~~Procedures for certification, recertification,~~
36 ~~decertification, or modification of certificates;~~

1 ~~(e)~~) Adoption of requirements for ongoing training and evaluation,
2 as approved by the county medical program director, to include
3 appropriate evaluation for individual knowledge and skills. The first
4 responder, emergency medical technician, or emergency medical services
5 provider agency may elect a program of continuing education and a
6 written and practical examination instead of meeting the ongoing
7 training and evaluation requirements;

8 ~~((d))~~ (c) Procedures for reciprocity with other states or
9 national certifying agencies;

10 ~~((e))~~ (d) Review and approval or disapproval of training
11 programs; and

12 ~~((f))~~ (e) Adoption of standards for numbers and qualifications of
13 instructional personnel required for first responder and emergency
14 medical technician training programs;

15 ~~((4))~~ (5) Prescribe minimum requirements for liability insurance
16 to be carried by licensed services except that this requirement shall
17 not apply to public bodies; and

18 ~~((5))~~ (6) Certify emergency medical program directors.

19 **Sec. 5.** RCW 43.70.110 and 1993 sp.s. c 24 s 918 are each amended
20 to read as follows:

21 (1) The secretary shall charge fees to the licensee for obtaining
22 a license. ~~((After June 30, 1995, municipal corporations providing
23 emergency medical care and transportation services pursuant to chapter
24 18.73 RCW shall be exempt from such fees, provided that such other
25 emergency services shall only be charged for their pro rata share of
26 the cost of licensure and inspection, if appropriate.))~~ The secretary
27 may waive the fees when, in the discretion of the secretary, the fees
28 would not be in the best interest of public health and safety, or when
29 the fees would be to the financial disadvantage of the state.

30 (2)(a) The following are exempt from fees under this section:

31 (i) Certifications for first responders and emergency medical
32 technicians certified under chapter 18.73 RCW who do not receive
33 compensation as defined in RCW 18.73.030;

34 (ii) Certifications for physician's trained emergency medical
35 service intermediate life support technicians and paramedics certified
36 under chapter 18.71 RCW who do not receive compensation as defined in
37 RCW 18.73.030; and

1 (iii) Licenses for aid or ambulance services and vehicles under
2 chapter 18.73 RCW.

3 (b) Fees for certifications shall be determined according to the
4 pro rata share of the cost of certification to the department for:

5 (i) Physician's trained emergency medical service intermediate life
6 support technicians and paramedics certified under chapter 18.71 RCW,
7 who are not exempt under (a) of this subsection (2); and

8 (ii) First responders and emergency medical technicians certified
9 under chapter 18.73 RCW, who are not exempt under (a) of this
10 subsection (2).

11 (3) Fees charged shall be based on, but shall not exceed, the cost
12 to the department for the licensure of the activity or class of
13 activities and may include costs of necessary inspection.

14 ~~((+3))~~ (4) Department of health advisory committees may review
15 fees established by the secretary for licenses and comment upon the
16 appropriateness of the level of such fees.

17 **Sec. 6.** RCW 43.70.250 and 1996 c 191 s 1 are each amended to read
18 as follows:

19 It shall be the policy of the state of Washington that the cost of
20 each professional, occupational, or business licensing program be fully
21 borne by the members of that profession, occupation, or business,
22 except as otherwise provided under RCW 43.70.110. The secretary shall
23 from time to time establish the amount of all application fees, license
24 fees, registration fees, examination fees, permit fees, renewal fees,
25 and any other fee associated with licensing or regulation of
26 professions, occupations, or businesses administered by the department.
27 In fixing said fees, the secretary shall set the fees for each program
28 at a sufficient level to defray the costs of administering that
29 program. All such fees shall be fixed by rule adopted by the secretary
30 in accordance with the provisions of the administrative procedure act,
31 chapter 34.05 RCW.

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