
SUBSTITUTE HOUSE BILL 1850

State of Washington 59th Legislature 2005 Regular Session

By House Committee on Health Care (originally sponsored by Representatives Schual-Berke and Cody)

READ FIRST TIME 03/01/05.

1 AN ACT Relating to retired volunteer medical workers; amending RCW
2 43.70.110 and 43.70.250; adding a new section to chapter 18.130 RCW;
3 and adding a new section to chapter 4.24 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 18.130 RCW
6 to read as follows:

7 (1) As used in this section, "emergency or disaster" has the same
8 meaning as in RCW 38.52.010.

9 (2) The secretary shall issue a retired volunteer medical worker
10 license to any applicant who:

11 (a) Has held an active license issued by a disciplining authority
12 under RCW 18.130.040 no more than ten years prior to applying for an
13 initial license under this section;

14 (b) Does not have any current restrictions on the ability to obtain
15 a license for violations of this chapter;

16 (c) Submits proof of registration as a volunteer with a local
17 organization for emergency services or management as defined by chapter
18 38.52 RCW or local public health jurisdiction program to coordinate
19 responses to an emergency or disaster.

1 (3) License holders under this section must be supervised and may
2 practice only those duties which correspond to the scope of their
3 emergency worker assignment not to exceed their scope of practice prior
4 to retirement.

5 (4) The department shall adopt rules and policies to implement this
6 section.

7 (5) The department shall establish standards for the renewal of
8 licenses issued under this section, including continuing competency
9 requirements.

10 (6) License holders under this section are subject to the
11 provisions of this chapter as they may apply to the issuance and denial
12 of credentials, unauthorized practice, and discipline for acts of
13 unprofessional conduct.

14 (7) Nothing in this section precludes a health care professional
15 who holds an active license to provide medical services during an
16 emergency or disaster.

17 (8) The cost of regulatory activities for license holders under
18 this section must be borne in equal proportion by all health care
19 providers holding a license issued by a disciplining authority under
20 RCW 18.130.040.

21 NEW SECTION. **Sec. 2.** A new section is added to chapter 4.24 RCW
22 to read as follows:

23 (1) A person who holds a retired volunteer medical worker license
24 issued under section 1 of this act who provides assistance during an
25 emergency or disaster, as defined in RCW 38.52.010, while at the scene,
26 an alternative care site, a hospital site, en route to such a site, or
27 while participating in an approved training or exercise for an
28 emergency or disaster, without compensation or the expectation of
29 compensation and within the scope of their assigned duties and under
30 the direction of the local organization with which he or she has been
31 registered, shall not be liable for civil damages resulting from any
32 act or omission in the rendering of such assistance or in transporting
33 such persons, other than acts or omissions constituting gross
34 negligence or willful or wanton misconduct.

35 (2) The local organization for emergency services or management or
36 local public health jurisdiction that registers a person as a volunteer

1 under section 1 of this act shall defend and hold harmless licensed
2 volunteer medical workers for any act or omission committed or omitted
3 in the good faith performance of their duties.

4 **Sec. 3.** RCW 43.70.110 and 1993 sp.s. c 24 s 918 are each amended
5 to read as follows:

6 (1) The secretary shall charge fees to the licensee for obtaining
7 a license. After June 30, 1995, municipal corporations providing
8 emergency medical care and transportation services pursuant to chapter
9 18.73 RCW shall be exempt from such fees, provided that such other
10 emergency services shall only be charged for their pro rata share of
11 the cost of licensure and inspection, if appropriate. The secretary
12 may waive the fees when, in the discretion of the secretary, the fees
13 would not be in the best interest of public health and safety, or when
14 the fees would be to the financial disadvantage of the state.

15 (2) Except for the cost of regulating retired volunteer medical
16 workers in accordance with section 1 of this act, fees charged shall be
17 based on, but shall not exceed, the cost to the department for the
18 licensure of the activity or class of activities and may include costs
19 of necessary inspection.

20 (3) Department of health advisory committees may review fees
21 established by the secretary for licenses and comment upon the
22 appropriateness of the level of such fees.

23 **Sec. 4.** RCW 43.70.250 and 1996 c 191 s 1 are each amended to read
24 as follows:

25 It shall be the policy of the state of Washington that the cost of
26 each professional, occupational, or business licensing program be fully
27 borne by the members of that profession, occupation, or business. The
28 secretary shall from time to time establish the amount of all
29 application fees, license fees, registration fees, examination fees,
30 permit fees, renewal fees, and any other fee associated with licensing
31 or regulation of professions, occupations, or businesses administered
32 by the department. In fixing said fees, the secretary shall set the
33 fees for each program at a sufficient level to defray the costs of
34 administering that program and the cost of regulating licensed
35 volunteer medical workers in accordance with section 1 of this act.

1 All such fees shall be fixed by rule adopted by the secretary in
2 accordance with the provisions of the administrative procedure act,
3 chapter 34.05 RCW.

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