

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1850

59th Legislature
2006 Regular Session

Passed by the House March 4, 2006
Yeas 97 Nays 0

Speaker of the House of Representatives

Passed by the Senate February 27, 2006
Yeas 47 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1850** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1850

AS AMENDED BY THE SENATE

Passed Legislature - 2006 Regular Session

State of Washington 59th Legislature 2006 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 38.52 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; and

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.

1 (3) License holders under this section must be supervised and may
2 practice only those duties that 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 from providing 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 38.52 RCW
22 to read as follows:

23 (1) No act or omission by a covered volunteer while engaged in a
24 covered activity shall impose any liability for civil damages resulting
25 from such an act or omission upon:

- 26 (a) The covered volunteer;
27 (b) The supervisor or supervisors of the covered volunteer;
28 (c) Any health care facility or their officers or employees;
29 (d) The owner of the property or vehicle where the act or omission
30 may have occurred during the covered activity;

31 (e) Any local organization that registered the covered volunteer;
32 or

33 (f) The state or any state or local governmental entity.

34 (2) The immunity in subsection (1) of this section applies only
35 when the covered volunteer was engaged in a covered activity:

36 (a) Without compensation or expectation of compensation;

37 (b) Within the scope of their assigned duties;

1 (c) Under the direction of the local organization with which he or
2 she had been registered; and

3 (d) The act or omission does not constitute gross negligence or
4 willful or wanton misconduct.

5 (3) For purposes of this section:

6 (a) "Covered volunteer" means a person who is registered as an
7 emergency worker as defined in RCW 38.52.010 and who is also licensed
8 as a retired volunteer medical worker under section 1 of this act.

9 (b) "Covered activity" means:

10 (i) Providing assistance or transportation during an emergency or
11 disaster as defined in RCW 38.52.010, whether such assistance or
12 transportation is provided at the scene of the emergency or disaster,
13 an alternative care site, a hospital, or while in route to or from such
14 sites or between sites; or

15 (ii) Participating in an approved training or exercise in
16 preparation for an emergency or disaster.

17 **Sec. 3.** RCW 43.70.110 and 2005 c 268 s 2 are each amended to read
18 as follows:

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

28 (2) Except as provided in RCW 18.79.202, until June 30, 2013, and
29 except for the cost of regulating retired volunteer medical workers in
30 accordance with section 1 of this act, fees charged shall be based on,
31 but shall not exceed, the cost to the department for the licensure of
32 the activity or class of activities and may include costs of necessary
33 inspection.

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

1 **Sec. 4.** RCW 43.70.250 and 2005 c 268 s 3 are each amended to read
2 as follows:

3 It shall be the policy of the state of Washington that the cost of
4 each professional, occupational, or business licensing program be fully
5 borne by the members of that profession, occupation, or business. The
6 secretary shall from time to time establish the amount of all
7 application fees, license fees, registration fees, examination fees,
8 permit fees, renewal fees, and any other fee associated with licensing
9 or regulation of professions, occupations, or businesses administered
10 by the department. In fixing said fees, the secretary shall set the
11 fees for each program at a sufficient level to defray the costs of
12 administering that program and the cost of regulating licensed
13 volunteer medical workers in accordance with section 1 of this act,
14 except as provided in RCW 18.79.202 until June 30, 2013. All such fees
15 shall be fixed by rule adopted by the secretary in accordance with the
16 provisions of the administrative procedure act, chapter 34.05 RCW.

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