
SENATE BILL 5636

State of Washington

59th Legislature

2005 Regular Session

By Senators Keiser, Benson, Franklin, Parlette, Kline, Thibaudeau and Kastama

Read first time 01/31/2005. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to imposition of sanctions on health professionals;
2 and amending RCW 18.130.160.

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

4 **Sec. 1.** RCW 18.130.160 and 2001 c 195 s 1 are each amended to read
5 as follows:

6 Upon a finding, after hearing, that a license holder or applicant
7 has committed unprofessional conduct or is unable to practice with
8 reasonable skill and safety due to a physical or mental condition, the
9 disciplining authority may consider the imposition of sanctions, taking
10 into account any prior findings of fact under RCW 18.130.110, any
11 stipulations to informal disposition under RCW 18.130.172, and any
12 action taken by other state disciplining authorities, and issue an
13 order providing for one or any combination of the following:

- 14 (1) Revocation of the license;
15 (2) Suspension of the license for a fixed or indefinite term;
16 (3) Restriction or limitation of the practice;
17 (4) Requiring the satisfactory completion of a specific program of
18 remedial education or treatment;

1 (5) The monitoring of the practice by a supervisor approved by the
2 disciplining authority;

3 (6) Censure or reprimand;

4 (7) Compliance with conditions of probation for a designated period
5 of time;

6 (8) Payment of a fine for each violation of this chapter, not to
7 exceed five thousand dollars per violation. Funds received shall be
8 placed in the health professions account;

9 (9) Denial of the license request;

10 (10) Corrective action;

11 (11) Refund of fees billed to and collected from the consumer;

12 (12) A surrender of the practitioner's license in lieu of other
13 sanctions, which must be reported to the federal data bank.

14 Any of the actions under this section may be totally or partly
15 stayed by the disciplining authority. In determining what action is
16 appropriate, the disciplining authority must first consider what
17 sanctions are necessary to protect or compensate the public. Only
18 after such provisions have been made may the disciplining authority
19 consider and include in the order requirements designed to rehabilitate
20 the license holder or applicant. All costs associated with compliance
21 with orders issued under this section are the obligation of the license
22 holder or applicant.

23 The licensee or applicant may enter into a stipulated disposition
24 of charges that includes one or more of the sanctions of this section,
25 but only after a statement of charges has been issued and the licensee
26 has been afforded the opportunity for a hearing and has elected on the
27 record to forego such a hearing. The stipulation shall either contain
28 one or more specific findings of unprofessional conduct or inability to
29 practice, or a statement by the licensee acknowledging that evidence is
30 sufficient to justify one or more specified findings of unprofessional
31 conduct or inability to practice. The stipulation entered into
32 pursuant to this subsection shall be considered formal disciplinary
33 action for all purposes.

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