

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1765

Chapter 98, Laws of 2009

61st Legislature
2009 Regular Session

IMPAIRED PHYSICIAN PROGRAM--LICENSE SURCHARGE

EFFECTIVE DATE: 07/26/09

Passed by the House March 5, 2009
Yeas 91 Nays 6

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 3, 2009
Yeas 38 Nays 7

BRAD OWEN

President of the Senate

Approved April 15, 2009, 11:25 a.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1765** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

April 15, 2009

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1765

Passed Legislature - 2009 Regular Session

State of Washington 61st Legislature 2009 Regular Session

**By House Health Care & Wellness (originally sponsored by
Representatives Moeller, Campbell, and Morrell)**

READ FIRST TIME 02/20/09.

1 AN ACT Relating to the license surcharge for the impaired physician
2 program; and amending RCW 18.71.310 and 18.71A.020.

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

4 **Sec. 1.** RCW 18.71.310 and 2001 c 109 s 1 are each amended to read
5 as follows:

6 (1) The commission shall enter into a contract with the entity to
7 implement an impaired physician program. The commission may enter into
8 a contract with the entity for up to six years in length. The impaired
9 physician program may include any or all of the following:

10 (a) Entering into relationships supportive of the impaired
11 physician program with professionals who provide either evaluation or
12 treatment services, or both;

13 (b) Receiving and assessing reports of suspected impairment from
14 any source;

15 (c) Intervening in cases of verified impairment, or in cases where
16 there is reasonable cause to suspect impairment;

17 (d) Upon reasonable cause, referring suspected or verified impaired
18 physicians for evaluation or treatment;

1 (e) Monitoring the treatment and rehabilitation of impaired
2 physicians including those ordered by the commission;

3 (f) Providing monitoring and continuing treatment and
4 rehabilitative support of physicians;

5 (g) Performing such other activities as agreed upon by the
6 commission and the entity; and

7 (h) Providing prevention and education services.

8 (2) A contract entered into under subsection (1) of this section
9 shall be financed by a surcharge of (~~not less than twenty five and not~~
10 ~~more than thirty five~~) fifty dollars per year on each license renewal
11 or issuance of a new license to be collected by the department of
12 health from every physician and surgeon licensed under this chapter in
13 addition to other license fees. These moneys shall be placed in the
14 impaired physician account to be used solely for the implementation of
15 the impaired physician program.

16 (3) All funds in the impaired physician account shall be paid to
17 the contract entity within sixty days of deposit.

18 **Sec. 2.** RCW 18.71A.020 and 1999 c 127 s 1 are each amended to read
19 as follows:

20 (1) The commission shall adopt rules fixing the qualifications and
21 the educational and training requirements for licensure as a physician
22 assistant or for those enrolled in any physician assistant training
23 program. The requirements shall include completion of an accredited
24 physician assistant training program approved by the commission and
25 within one year successfully take and pass an examination approved by
26 the commission, if the examination tests subjects substantially
27 equivalent to the curriculum of an accredited physician assistant
28 training program. An interim permit may be granted by the department
29 of health for one year provided the applicant meets all other
30 requirements. Physician assistants licensed by the board of medical
31 examiners, or the medical quality assurance commission as of July 1,
32 1999, shall continue to be licensed.

33 (2)(a) The commission shall adopt rules governing the extent to
34 which:

35 (i) Physician assistant students may practice medicine during
36 training; and

1 (ii) Physician assistants may practice after successful completion
2 of a physician assistant training course.

3 (b) Such rules shall provide:

4 (i) That the practice of a physician assistant shall be limited to
5 the performance of those services for which he or she is trained; and

6 (ii) That each physician assistant shall practice medicine only
7 under the supervision and control of a physician licensed in this
8 state, but such supervision and control shall not be construed to
9 necessarily require the personal presence of the supervising physician
10 or physicians at the place where services are rendered.

11 (3) Applicants for licensure shall file an application with the
12 commission on a form prepared by the secretary with the approval of the
13 commission, detailing the education, training, and experience of the
14 physician assistant and such other information as the commission may
15 require. The application shall be accompanied by a fee determined by
16 the secretary as provided in RCW 43.70.250 and 43.70.280. A surcharge
17 of (~~twenty-five~~) fifty dollars per year shall be charged on each
18 license renewal or issuance of a new license to be collected by the
19 department and deposited into the impaired physician account for
20 physician assistant participation in the impaired physician program.
21 Each applicant shall furnish proof satisfactory to the commission of
22 the following:

23 (a) That the applicant has completed an accredited physician
24 assistant program approved by the commission and is eligible to take
25 the examination approved by the commission;

26 (b) That the applicant is of good moral character; and

27 (c) That the applicant is physically and mentally capable of
28 practicing medicine as a physician assistant with reasonable skill and
29 safety. The commission may require an applicant to submit to such
30 examination or examinations as it deems necessary to determine an
31 applicant's physical or mental capability, or both, to safely practice
32 as a physician assistant.

33 (4) The commission may approve, deny, or take other disciplinary
34 action upon the application for license as provided in the Uniform
35 Disciplinary Act, chapter 18.130 RCW. The license shall be renewed as
36 determined under RCW 43.70.250 and 43.70.280. The commission may
37 authorize the use of alternative supervisors who are licensed either
38 under chapter 18.57 or 18.71 RCW.

1 (5) All funds in the impaired physician account shall be paid to
2 the contract entity within sixty days of deposit.

Passed by the House March 5, 2009.

Passed by the Senate April 3, 2009.

Approved by the Governor April 15, 2009.

Filed in Office of Secretary of State April 15, 2009.