

# SENATE BILL REPORT

## SB 5492

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As Reported by Senate Committee On:  
Health Care, February 18, 2013

**Title:** An act relating to requiring transparency for patients regarding training and qualifications of health care professionals.

**Brief Description:** Requiring transparency for patients regarding training and qualifications of health care professionals.

**Sponsors:** Senators Becker, Schlicher, Darneille and Parlette.

**Brief History:**

**Committee Activity:** Health Care: 2/14/13, 2/18/13 [DP].

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### SENATE COMMITTEE ON HEALTH CARE

**Majority Report:** Do pass.

Signed by Senators Becker, Chair; Dammeier, Vice Chair; Bailey, Cleveland, Ericksen, Keiser, Ranking Member; Parlette and Schlicher.

**Staff:** Mich'l Needham (786-7442)

**Background:** The term doctor has traditionally been interpreted to mean a medical physician. Additional professionals use the title of doctor to reflect their Ph.D. or other advanced degree. Several health professions now have Ph.D. training available.

**Summary of Bill:** All health care professionals must include detailed information in advertisements, or any communication that names the health care professional in relation to the practice or profession, including letterhead, brochures, email, internet, business cards, billboards, audio or video presentations, or any other communications used for business. The information must include the full title indicating the type of license, registration, or certificate held by the professional, or may use a suffix after the name of the professional as approved in statute for the type of license, registration, or certification. All advertisements must be free from any and all deceptive or misleading information. Health care professionals are responsible for ensuring that references to themselves are consistent with their training and qualifications.

**Appropriation:** None.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** The bill takes effect on January 1, 2014.

**Staff Summary of Public Testimony:** PRO: This is simply an effort to clarify the training and certification of each health professional. It is not trying to take away the use of the term doctor. The Washington State Medical Association (WSMA) completed a survey of patients and many are confused about the training of their health professional and do not understand the various titles and degrees. There are misleading advertisements out there and this will clarify what people can say. The requirements under the Uniform Disciplinary Act are vague and seldom enforced.

CON: We are not against transparency in the health professions. But it is ok for the Advanced Registered Nurse Practitioners (ARNP) to use the phrase Dr. to represent the degree they may have. The bill is unnecessary since deceptive advertising already falls under the Uniform Disciplinary Act for all health professions, as well as HIPAA. State and federal laws already cover this, including state licensing laws which cover how psychologists identify themselves. Those with doctoral degrees should not be banned from identifying themselves as doctors.

OTHER: There is a lot of confusion out there, and we support the goals of clarity. There may be a simpler approach using the Uniform Disciplinary Act and adding language for the false advertising that requires the credential, without adding new statutory codes to govern the issue and different definitions of the health care profession than are already in statute.

**Persons Testifying:** PRO: Susie Tracy, WSMA, WA Academy of Eye Physicians and Surgeons.

CON: Melissa Johnson, Physical Therapy Assn. of WA, WA State Nurses Assn., WA Assn. of Nurse Anesthetists, ARNP United; Lucy Homans, WA State Psychological Assn.

OTHER: Gail McGaffick, WA State Podiatric Medical Assn.

**Staff Summary of Public Testimony:**

**Persons Testifying:**