

CERTIFICATION OF ENROLLMENT

**ENGROSSED SUBSTITUTE SENATE BILL 5145**

Chapter 1, Laws of 2016

64th Legislature  
Veto Override 2016 1st Special Session

HEALTH TECHNOLOGY CLINICAL COMMITTEE--MEMBERSHIP AND ROTATING  
CLINICAL EXPERTS

EFFECTIVE DATE: 6/28/2016

Passed by the Senate January 27, 2016  
Yeas 48 Nays 0

BRAD OWEN

**President of the Senate**

Passed by the House March 1, 2016  
Yeas 97 Nays 0

FRANK CHOPP

**Speaker of the House of Representatives**

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5145** as passed by Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

**Secretary**

FILED

March 30, 2016

Vetoed March 10, 2016 10:04 PM

JAY INSLEE

**Governor of the State of Washington**

**Secretary of State  
State of Washington**

---

ENGROSSED SUBSTITUTE SENATE BILL 5145

---

Passed Legislature - Veto Override 2016 1st Special Session

State of Washington

64th Legislature

2015 Regular Session

By Senate Health Care (originally sponsored by Senators Dammeier, Frockt, Becker, Bailey, Rivers, and Brown)

READ FIRST TIME 02/10/15.

1 AN ACT Relating to the health technology clinical committee  
2 membership and rotating experts; and amending RCW 70.14.090.

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

4 **Sec. 1.** RCW 70.14.090 and 2006 c 307 s 2 are each amended to  
5 read as follows:

6 (1) A health technology clinical committee is established, to  
7 include the following eleven members appointed by the administrator  
8 in consultation with participating state agencies:

9 (a) Six practicing physicians licensed under chapter 18.57 or  
10 18.71 RCW; and

11 (b) Five other practicing licensed health professionals who use  
12 health technology in their scope of practice.

13 (i) At least two members of the committee must have professional  
14 experience treating women, children, elderly persons, and people with  
15 diverse ethnic and racial backgrounds.

16 (ii) At least one member of the committee must be appointed from  
17 nominations submitted by the Washington state medical association or  
18 the Washington state osteopathic medical association.

19 (2) In addition, any rotating clinical expert selected to advise  
20 the committee on health technology must be a nonvoting member of the  
21 committee.

1        (3) Members of the committee:

2        (a) Shall not contract with or be employed by a health technology  
3 manufacturer or a participating agency during their term or for  
4 eighteen months before their appointment. As a condition of  
5 appointment, each person shall agree to the terms and conditions  
6 imposed by the administrator regarding conflicts of interest;

7        (b) Are immune from civil liability for any official acts  
8 performed in good faith as members of the committee; and

9        (c) Shall be compensated for participation in the work of the  
10 committee in accordance with a personal services contract to be  
11 executed after appointment and before commencement of activities  
12 related to the work of the committee.

13        ~~((3))~~ (4) Meetings of the committee and any advisory group are  
14 subject to chapter 42.30 RCW, the open public meetings act, including  
15 RCW 42.30.110(1)(1), which authorizes an executive session during a  
16 regular or special meeting to consider proprietary or confidential  
17 nonpublished information.

18        ~~((4))~~ (5) Neither the committee nor any advisory group is an  
19 agency for purposes of chapter 34.05 RCW.

20        ~~((5))~~ (6) The health care authority shall provide  
21 administrative support to the committee and any advisory group, and  
22 may adopt rules governing their operation.

Passed by the Senate January 27, 2016.

Passed by the House March 1, 2016.

Vetoed by the Governor March 10, 2016.

Filed in Office of Secretary of State March 30, 2016.

--- END ---