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**SUBSTITUTE HOUSE BILL 1198**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** House Health Care & Wellness (originally sponsored by Representatives Caldier, Cody, Harris, Orwall, Slatter, Macri, Wylie, Eslick, Doglio, Griffey, and Robinson)

READ FIRST TIME 02/19/19.

1 AN ACT Relating to requiring health care providers sanctioned for  
2 sexual misconduct to notify patients; adding a new section to chapter  
3 18.130 RCW; and providing an effective date.

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  
6 RCW to read as follows:

7 (1) If a license holder subject to this chapter has been  
8 sanctioned by a disciplining authority on or after the effective date  
9 of this section for an act or acts of unprofessional conduct  
10 involving sexual misconduct, the license holder or his or her  
11 designee must provide a disclosure to any patient scheduled for an  
12 appointment with the license holder during the period of time that  
13 the license holder is subject to the order or stipulation. The  
14 disclosure must only be provided to a patient at or prior to the  
15 patient's first visit with the license holder following entry of the  
16 order or stipulation.

17 (2) The disclosure must include a copy of the public order or  
18 stipulation, a description of all sanctions placed on the license  
19 holder by the disciplining authority in the order or stipulation, the  
20 duration of all sanctions, the disciplining authority's telephone  
21 number, and an explanation of how the patient can find more

1 information about the license holder on the disciplining authority's  
2 online license information web site.

3 (3) The license holder must provide the patient or the patient's  
4 surrogate decision maker as designated under RCW 7.70.065 with the  
5 disclosure indicating that the patient has received a copy of the  
6 public order or stipulation and is aware the provider has been  
7 sanctioned for unprofessional conduct involving sexual misconduct,  
8 which must be signed by the patient or a surrogate decision maker. A  
9 copy of the signed disclosure must be maintained in the patient's  
10 file.

11 (4) A disciplining authority may adopt rules to exempt certain  
12 types of sexual misconduct from the requirements of this section.

13 (5) This section does not apply to license holders subject to  
14 chapter 18.92 RCW.

15 (6) For purposes of this section:

16 (a) "Order" means an order issued by a disciplining authority  
17 including, but not limited to, an agreed order, default order, final  
18 order, or a reinstatement order, but does not include a summary  
19 restriction order.

20 (b) "Stipulation" means a stipulation to informal disposition.

21 NEW SECTION. **Sec. 2.** This act takes effect October 1, 2019.

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